STATEMENT AND RESPONSE GUIDELINES ON BULLYING, THREATENING, AND OTHER FORMS OF DISRUPTIVE BEHAVIOR

A) General

Academic communities exist to facilitate the process of acquiring and exchanging knowledge and understanding, to enhance the personal and intellectual development of its members, and to advance the interests of society. Essential to this mission is that all members of the University Community are safe and free to engage in a civil process of teaching and learning through their experiences both inside and outside the classroom. Accordingly, no student should engage in any form of behavior that interferes with the academic or educational process, compromises the personal safety or well-being of another, or disrupts the administration of University programs or services. Although any action that is interpreted as being disrespectful, distracting, or even disorderly can be disturbing to others, it may not constitute a form of Disruptive Behavior that is actionable under this policy.

Common examples of Disruptive Behaviors include, but are not limited to:

B) Examples of Disruptive Behavior

Examples of Disruptive Behavior (collectively “Disruptive Behavior”) include, but are not limited to, the following:

- **Academic Disruption/Interference:** Behaviors that, by virtue of their intensity and/or repetitiveness, interfere with an academic activity (e.g., class, advising session, lecture, workshop) such as: persistently talking without being recognized; creating noise that obstructs the learning process; repeatedly interrupting others; maliciously or inappropriately mocking or ridiculing another’s work or comments; speaking in an abusive or derogatory manner; engaging in acts of physical aggression (e.g., causing or threatening injury, physical or verbal intimidation, damaging personal/University property, throwing items), or deliberately engaging in other behaviors that have the effect of compromising the learning process.

- **Administrative Disruption/Interference:** Behaviors that, by virtue of their intensity and/or repetitiveness, interfere with the effective delivery of administrative programs or services, or create a foreseeable risk of material and substantial disruption of NYU’s programs or services, such as: persistently or obstructively talking, yelling, screaming, or making noises; speaking in an abusive or derogatory manner; maliciously or inappropriately mocking or ridiculing persons who provide or use/seek to use the program/service; or engaging in acts of physical aggression (e.g., causing or threatening injury, physical or verbal intimidation, damaging personal/University property, throwing items); or refusing to adhere to the established procedures associated with the delivery of such programs or services.

- **Individual and Community Disruption/Interference:** Behaviors that, by virtue of their intensity and/or repetitiveness, compromise the health, safety or well-being of an individual student or of the general University community, that interfere with the maintenance of public order on campus, or that disrupt the effective continuation of the academic/educational process for individual students or for the general University community by virtue of their severity, pervasiveness, or persistence, such as: a pattern of bullying, threatening, tormenting, mocking, defaming, intimidating, stalking, exploiting known psychological or physical vulnerabilities or impairments; actions that jeopardize another person’s mental, emotional, or physical well-being; acts of aggression (e.g., causing or threatening injury to one’s person or property, physical or verbal intimidation, damaging personal/University property); conduct that unreasonably interferes
with a person’s academic or work performance; inciting or attempting to incite violence, harassment, or disruption by others; or behavior that compromises the ability of administrators to manage situations in accordance with their role and authority.

C) Guidelines for Response and Enforcement

Allegations of Disruptive Behavior may be subject to review and the possible imposition of penalties in accordance with the student conduct standards, practices, and procedures of the University and its Colleges/Schools/Institutes, and/or divisions. However, it is important to recognize that, as per the above definitions, a single act (e.g. name calling, mocking or harsh words) which causes discomfort to another may not constitute Disruptive Behavior that is subject to University disciplinary action. Nor does being “uncomfortable” automatically translate to being “unsafe” or being “threatened”. Each allegation of Disruptive Behavior must be examined objectively with respect to its severity, repetitiveness, and tangible impact on the individual and/or the University community in reaching a determination as to whether the act was in violation of paragraphs B.1 and B.2. of the University’s Rules for the Maintenance of Public Order [http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/rules-for-the-maintenance-of-public-order.html ], or other University policies.

Should the Disruptive Behavior be related to a characteristic of a targeted person that is a legally protected status, the person engaging in the Disruptive Behavior also may be violating the University’s policies on Sexual Assault, Harassment, and other forms of Sexual Misconduct or the University’s Anti-Harassment Policy.

Situations involving Disruptive Behavior may be addressed as follows:

- **Academic Disruption/Interference**: If a student has engaged in Disruptive Behavior, the faculty member is urged to ask the student to cease the behavior and warn the student that failure to do so can result in removal from the class, as well as disciplinary action. Should the student continue the Disruptive Behavior, the faculty member is authorized to ask the student to leave the classroom and, where deemed necessary, to call the NYU Department of Public Safety to assist in the student’s removal from the premises. Should the faculty member believe the circumstances are such that a danger exists that could reasonably be expected to cause death or serious physical harm, the faculty member should call the NYU Department of Public Safety or the New York City Police Department for assistance. Whenever a student has been so removed from the classroom, the faculty member should immediately inform the Office of the Dean of the College/School/Institute so that appropriate disciplinary action can be considered. The Office of the Dean of the College/School/Institute in which the student is enrolled may temporarily suspend the student, exclude that student from the classroom, or exclude the student from accessing certain campus facilities or prohibit him/her from having contact with other designated individuals pending resolution of the matter. Should such an action be taken, the student should be informed of the exclusion and offered an expedited review of the matter through the applicable student conduct process.

- **Administrative Disruption/Interference** If a student engages in Disruptive Behavior that interferes with the effective delivery of NYU’s administrative programs or services, an involved administrator should ask the student to cease the Disruptive Behavior and warn the student that failure to do so can result in removal from the office, as well as disciplinary action. If the student persists in the Disruptive Behavior, the administrator is authorized to ask the student to leave the office/service and, if deemed necessary, to call the NYU Department of Public Safety to assist in the student’s removal from the premises. Should the administrator believe the Disruptive Behavior creates a danger of death or serious physical harm, the administrator is urged to call the
NYU Department of Public Safety or the New York City Police Department for assistance. Whenever a student has been so removed, the administrator should immediately notify the Office of Community Standards and Compliance so that appropriate disciplinary action can be considered. The Vice President for Student Affairs or the Dean may temporarily exclude that student from the office/service pending resolution of the matter. Should such an action be taken, the student should be informed of the exclusion and offered an expedited review of the matter through the appropriate student conduct process.

- **Individual and Community Disruption/Interference:** Any student, faculty member, staff member, or administrator who believes that he/she, or the general University community, is the target of Disruptive Behavior by a student should ask that student to cease the associated behavior. Should the targeted person believe the Disruptive Behavior creates a danger of death or serious physical harm, he/she should call the NYU Department of Public Safety or the New York City Police Department for assistance. (At a Study Away Site, the person should contact the Site Director or another site administrator who should make the decision whether intervention by the local police is warranted.) The targeted person may file a complaint with the Office of Community Standards and/or the Dean or Director of the College/School/Institute in which the student is enrolled to initiate applicable disciplinary action. (At a Study Away site, the person should contact the Site Director or another site administrator.) The Vice President for Student Affairs or the Dean/Director may temporarily suspend the student or exclude the student from accessing certain campus facilities or prohibit him/her from having contact with other designated individuals pending resolution of the matter. Should such an action be taken, the student should be informed of the suspension, exclusion or prohibition and offered an expedited review of the matter through the applicable student conduct process.