

# New York University UNIVERSITY POLICIES

Title: University Student Conduct Policy  
Effective Date: August 12, 2020  
Supersedes: University Student Conduct Policy Dated August 2019  
Issuing Authority: Senior Vice-President for Student Affairs  
Responsible Officer: Director, Office of Student Conduct and Community Standards

## **I. STATEMENT OF POLICY**

New York University (“NYU” or the “University”), like other communities and organizations in our society, has a right to require the cooperation of its members in the performance of its educational functions, and to oversee and regulate the conduct and behavior of such members which, actually or has potential to, impede, obstruct, or threaten the maintenance of order and achievement of the University’s educational goals.

The authority to establish academic standards and address allegations of student academic misconduct is lodged with the faculty of each college or school at NYU. In addition to the academic standards and other policies established by each school, the University Senate has also defined certain areas of non-academic misconduct that are applicable to all students. The standards of non-academic misconduct set forth in this policy are applicable to all undergraduate and graduate students and student organizations at New York University, in all schools and locations, including Study Away Sites, and Portal Campuses.

## **II. ACADEMIC FREEDOM, DEMONSTRATION AND PROTEST**

The University is a community where the means of seeking to establish truth are open discussion and free discourse. It thrives on debate and dissent, which must be protected as a matter of academic freedom within the University, quite apart from the question of constitutional rights. The University also recognizes that a critically engaged, activist student body contributes to NYU’s academic mission. Free inquiry, free expression, and free association enhances academic freedom and intellectual engagement.

This policy is not intended to discipline students or student organizations for asserting one’s rights of academic freedom, scholarly classroom dissent or civil discourse, nor hinder organized, nonviolent, peaceful protest. However, such conduct must occur within the standards set forth in Section III of this policy, as well as other applicable University policies.

## **III. PROHIBITED CONDUCT**

The following behavior is prohibited for New York University students and all student organizations:

#### **A. ALCOHOL AND OTHER SUBSTANCES**

1. Engaging in behavior prohibited under the NYU [Policy on Substance Abuse and Alcoholic Beverages](#), including but not limited to the behaviors specifically noted below.
2. Possession or use of alcoholic beverage(s) as prohibited under the NYU Policies on Substance Abuse and Alcoholic Beverages.
3. Distribution of alcoholic beverage(s) as prohibited under the NYU Policies on Substance Abuse and Alcoholic Beverages.
4. Possession or use of controlled substance(s) as prohibited under the NYU Policies on Substance Abuse and Alcoholic Beverages
5. Distribution of controlled substance(s) as prohibited under the NYU Policies on Substance Abuse and Alcoholic Beverages.

#### **B. BULLYING, THREATENING, AND ABUSIVE BEHAVIOR**

1. Engaging in or threatening to engage in behavior(s) that, by virtue of their intensity, repetitiveness, or otherwise, endanger or compromise the health, safety or well-being of oneself, another person, or the general University community, or that disrupt the effective continuation of the academic/educational process for individual students or for the general University community.

*This includes, but is not limited to, threatening, tormenting, mocking, intimidating, maliciously or inappropriately ridiculing another's work or comments beyond the scope of scholarly inquiry, and exploiting known psychological or physical vulnerabilities or impairment.*

2. Abusive behavior toward a University employee or agent acting in performance of their duties.
3. Physical violence, actual or threatened, against any individual or group of persons.
4. Unjustified abuse, neglect, or violence toward an animal.

#### **C. DESTRUCTION OF PROPERTY**

1. Vandalizing, damaging, destroying, defacing, or tampering with University property or the property of others.

#### **D. DISCRIMINATION AND HARASSMENT**

1. Engaging in behavior prohibited under the NYU Non-Discrimination and Anti-Harassment Policy for Students or for Employees.

#### **E. DISORDERLY CONDUCT**

1. Disorderly, disruptive, or antagonizing behavior that interferes with the safety, security, health or welfare of the community, and/or the regular operation of the University.
2. Behaviors that, by virtue of their intensity and/or repetitiveness, interfere with an educational activity (e.g., classroom, remote or online learning environments, advising session, lecture, workshop).  
*This includes but is not limited to: persistently talking without being recognized; creating noise that obstructs the learning process; smoking/vaping or use of prohibited substance; repeatedly interrupting others; or deliberately engaging in other behaviors that unreasonably and illegitimately distracts from or interferes with the educational experience or otherwise violates University policy.*
3. Failure to abide by the [Policy on Requirements Related to Access to NYU Buildings and Campus Grounds Resulting from the COVID-19 Pandemic](#), or any related governmental orders issued concerning public health.

#### **F. FAILURE TO COMPLY**

1. Failure to comply promptly with the reasonable request or instruction of a University employee or agent acting in an official capacity, including, but not limited to, refusing to provide identification, refusing to dispose of or turn over to University authorities prohibited items, leaving the scene of an incident, requests to disperse, or violation of a no contact directive.
2. Failing to abide by or fulfill the terms of a sanction or condition issued through the student conduct process.

#### **G. FIRE SAFETY**

1. Intentionally or recklessly damaging or destroying property by fire or explosives.
2. Creating or maintaining a fire or fire hazard.
3. Tampering with or misuse of emergency or fire safety equipment, including emergency call devices, fire alarms, fire exits, firefighting equipment, smoke/heat detectors, or sprinkler systems.
4. Failing to immediately exit any facility or building when a fire alarm or other emergency notification has been sounded.

#### **H. GLOBAL SITE POLICY VIOLATIONS**

1. Engaging in behavior as prohibited by local Study Away Site policy or Portal Campus Policy.
2. Engaging in behavior as prohibited by the Global Housing License Study Away Site housing policy, including leased properties or homestay housing assignments.
3. Engaging in behavior in violation of the Study Away Standard while enrolled as a study away student.

#### **I. GUESTS AND VISITORS**

1. Knowingly allowing one's visitors or guests to violate this policy or other University policies, or failing to monitor the behavior of one's visitors or guests to assure their adherence to such standards.

## **J. HAZING**

1. Any action taken or situation created, intentionally or unintentionally, whether on or off University premises and whether presented as optional or required, to produce: mental, physical, or emotional discomfort; servitude; degradation; embarrassment; harassment; ridicule; or to cause or encourage violation of law or NYU policy, for the purpose of initiation into, affiliation with, or admission to, or as a condition for continued membership in a group, team, or other organization, regardless of an individual's willingness to participate.

## **K. INFORMATION TECHNOLOGY**

1. Engaging in conduct as prohibited under the NYU [Policy on Responsible Use of NYU Computers and Data](#).
2. Engaging in conduct as prohibited under the NYU [Policy on Appropriate Use of Email](#).

## **L. MISREPRESENTATION**

1. Making, possessing, or using any falsified University document or record; altering any University document or record, including identification cards
2. Assuming or facilitating the use of another person's identity, role, or access through deception or without proper authorization. This includes communicating or acting under the guise, name, identification, access, email address, signature, or indicia of another, or communicating under the rubric of an organization, entity, or unit without authorization.
3. Knowingly providing false information, submitting false or altered documents, or making a false report to the University in bad faith.
4. Using, or facilitating the use of a University Identification card, netID, or any other access controls, whether physically or virtually, by any person other than the assigned individual.

## **M. RETALIATION**

1. Participating in any adverse action against an individual for making a good faith report of prohibited conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy.

## **N. RESIDENCE HALL VIOLATIONS**

1. Engaging in behavior prohibited under the NYU [Residential Life Handbook](#).

## **O. SEXUAL MISCONDUCT**

1. Engaging in behavior prohibited under the NYU [Sexual Misconduct, Relationship Violence, and Stalking Policy](#). Note: procedures for resolving allegations of sexual misconduct are also defined under that policy. Allegations of conduct that could constitute a violation of both this University Student Conduct Policy and the Sexual Misconduct, Relationship Violence, and Stalking Policy will be administered according to the latter policy.

## **P. SMOKING**

1. Engaging in conduct in violation of the NYU Smoke Free Campus Policy.

## **Q. THEFT AND UNAUTHORIZED TAKING**

1. Taking (e.g., stealing, theft) of property or services without permission from the owner, regardless of intent to return the item.
2. Knowingly possessing, selling, or distributing stolen property or materials.

## **R. UNIVERSITY PROPERTIES (MISUSE OF)**

1. Entering or remaining on or in any part of any University premises or virtual spaces and classrooms, without proper authorization.
2. Use of University property or space, including virtual spaces and platforms, without proper authorization.
3. Solicitation, use of University facilities, resources or services, or misappropriation of the University name, for the purpose of conducting business or non-profit endeavors not otherwise authorized or sponsored by the University.

## **S. WEAPONS AND RELATED ITEMS**

1. Engaging in conduct as prohibited under the [NYU Weapons and Simulated Weapons Policy](#).
2. Engaging in conduct as prohibited under the NYU [Policy on Theatrical Use of Simulated Firearms and other Weapons](#).

## **T. VIOLATIONS OF OTHER POLICIES**

1. Engaging in behavior as prohibited under other established NYU policies not otherwise cited above.

#### **IV. CONDUCT OUTSIDE THE UNIVERSITY CONTEXT**

The University shall not use its powers to interfere with the rights of a student beyond the University environment. Conduct that occurs off-campus, online, over social media, or outside the context of a University program or activity, should generally be subject only to the consequences of the applicable authority and/or public opinion. Notwithstanding, the University may take student disciplinary action for conduct occurring outside the University context which substantially disrupts the regular operation of the University or threatens the health, safety, or security of the University community. When conduct constitutes violations of both University policy and public law, a student may be subject to both University student conduct action as well as public sanctions.

#### **V. STUDENT ORGANIZATIONS**

All student organizations at the University are expected to abide by the standards of conduct as outlined in Section III above. Whether acting in an official or unofficial capacity, student organizations and individuals within those organizations may be held accountable for violations of this policy.

#### **VI. ENFORCEMENT**

In matters involving alleged violation of this policy by individual students, the school of the accused student may establish its own procedures for enforcement or elect to utilize the NYU Student Conduct Procedures administered by the NYU Office of Student Conduct, under the authority of the University Senate. Where a student organization is alleged to have violated this policy, the applicable procedures for the accused organization shall apply (i.e. Center for Student Life all-square clubs, school-based clubs, etc.). Nothing in this policy or any related procedures precludes NYU from addressing responsibility for alleged misconduct from individuals, organizations, or both, within its discretion.

#### **VII. REVIEW AND UPDATES**

This policy has been developed to promote education and procedural fairness to students. In accordance with the NYU Policy on Developing University Policies, the responsible officer must ensure that they are up to date and appropriately reflect obligations imposed by current laws, as well as best practices. The Community Standards Committee will review the policies and procedures on an annual basis and report to the Senate any recommendations for their modification.

#### **VIII. POLICY DEFINITIONS**

“NYU” or “University” includes the schools, colleges, institutes (e.g., Institute of Fine Arts (IFA), Institute for the Study of the Ancient World (ISAW), Courant Institute of Mathematical Sciences, and the Center for Urban Science and Progress (CUSP)), and other Units of NYU.

“Student” means an individual properly matriculated or enrolled, full or part-time, in a degree or diploma granting program at NYU. Further, individuals registered and attending a course at NYU as a visiting or non-matriculated student must abide by the standards set forth in this policy during the period of their enrollment. Incoming students new to the University shall generally be considered to be a student upon moving into a residence hall, or on the first day of classes of their first semester.

“Student Organization” means a group of students who have complied with the registration requirements of the University or otherwise recognized by the University through formal advising and/or oversight. This term includes, but is not limited to, organizations and clubs registered with the Center for Student Life, the Student Government Assembly, Greek-letter organizations, athletic teams (including varsity and intramural teams), and groups recognized and/or advised by other administrative or academic units of the University.

“Portal Campus” means NYU Abu Dhabi or NYU Shanghai.

“Study Away Site” means NYU Accra, NYU Berlin, NYU Buenos Aires, NYU Florence, NYU London, NYU Madrid, NYU Paris, NYU Prague, NYU Sydney, NYU Tel Aviv, NYU Washington, D.C., or the NYU Program in Los Angeles.

Note: Portal Campuses and Study Away Sites may enact additional supplemental policies and/or alternate language to provide clarity and context, and to ensure compliance with local law and customs. In the event of a conflict between this Policy and a supplemental policy enacted by a Portal Campus or Study Away Site, the latter shall be controlling.