



December 18, 2012

Mr. Joseph S. Aziz
[REDACTED]

Dear Mr. Aziz:

I have received your letter dated December 17, 2012, (received via email on December 16, 2012), requesting appeal of your conduct sanction. As you are aware there are three grounds for appeal of a sanction:

1. There was substantial and prejudicial failure to follow procedures.
2. The student can provide evidence that the sanction was unduly severe.
3. The student has additional evidence that was not available at the time of the hearing or conduct meeting.

After substantial review of the matter, I find no evidence that any of the information you provided meets the standard established by the above grounds and therefore your request for appeal is denied. Specifically:

1. There was substantial and prejudicial failure to follow procedures.

I find no breach of University procedures. Contrary to your statement, the Code of Conduct does not specify that "you are to be provided written documents upon request." According to the Code:

III. Procedural Standards

C) Reasonable access to a case file prior to and during any hearing, provided that all reviews of files must take place in the Office of the Dean of Students.

Mr. Schafer has no voice messages that you telephoned him to make such a request. He responded to all of your emails (none of which requested written documentation) and informed you that the conference meeting was to review that material. He also informed you the meeting was to discuss the record and **not** the conduct hearing. The first request for those documents was sent in an email to Mr. Schafer on December 16, 2012 at 7:26 PM, 10 days after your hearing and 3 hours before you sent your appeal.

You did view the documents prior to your hearing on December 6, 2012. You made a choice to have your hearing immediately following your conference meeting. Mr. Schafer offered to schedule with you for another evening but you refused and signed the paperwork, indicating that your choice was to proceed immediately with the hearing. This was within your rights as a student and you exercised your option. Therefore, there was no failure to follow procedures.

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2. The student can provide evidence that the sanction was unduly severe.

As indicated in the Student Code of Conduct:

Failure to Comply

Minimum sanction: Warning; Maximum sanction: Suspension

Violations of Written University Policy, Regulations and Announcements

Minimum sanction: Warning; Maximum sanction: Expulsion

You were found responsible for infractions of these regulations and the sanction imposed is within the written and established guidelines.

3. The student has additional evidence that was not available at the time of the hearing or conduct meeting.

You have not provided evidence in your appeal letter that was unavailable to you at the time of your hearing.

In addition, at your hearing you were found not responsible for the follow charges:

- **Disruptive Conduct**
- **Harassment**
- **Abuse of the Conduct System**

Even if the University code were to assess sanctions for violations of specific state laws, which it does not, your charge of not meeting the standard of NJ Statute # N.J.S.A.2c;33-4 is irrelevant.

Therefore, your request for appeal is denied as it does not meet the grounds required.

I also reviewed your appeal as a request for leniency. As a 25 year old graduate student, it is hard to understand how or why you are even involved in this type of juvenile behavior, especially considering the intensive major you are pursuing. You state that:

“without a Masters Degree and then a PhD, my career advancement will be stymied. Having the stigma of Suspension on my academic record will potentially impede further advancement within my field.”

It is not a suspension that is going to impede your advancement – it is your lack of degree progress that is going to be the cause of your setback. You started your program a year ago. You have registered for and thus attempted 33 hours and only completed 10. Had you completed

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all of those courses successfully, you would be finished (or very close to finishing) your Master's degree and actively pursuing that advancement of which you speak. Instead, you consistently withdraw from your courses and waste valuable time. Are you so focused on non-productive activities such as Facebook and "Trolling" that you have misplaced your priorities?

It also is hard to understand how someone of your age could truly expect that what you put on the Internet is private. As far back as 2007, the promises and dangers of the Internet were a part of the orientation and first year seminar programs provided to new students. As noted in a recent column in *BuzzFeed.com*:

[even] Teenagers understand how the Internet works. Real names and faces have always been the currency of social media. And since more and more of our lives are lived online, it is no longer some separate space where you get to adopt a persona without responsibility; the accepted "rules and sensibilities" of society now govern our conduct there as well. Using racist or sexist insults, or making threats, is very likely to bring negative consequences. "If you don't know that already, you should now."

You were informed by Mr. Collins on October 9, 2012, that a University No Contact Order had been issued. You also were informed in a meeting held on October 10, 2012, that referencing or contacting specific individuals was prohibited. For reasons known only to you, you chose to violate University regulations rather than focus on academic or other productive matters. I strongly suggest that you find a more mature approach to your use of social media and outlets that cause you to act in a matter inconsistent with your age as well as your educational and professional goals.

Therefore, I find no reason to provide leniency other than that already afforded you by the hearing officer, permitting you to finish the current semester without penalty. Your sanction of suspension for the spring 2013 semester is upheld.

Sincerely,



Karen L. Pennington, Ph.D.
Vice President

Pc: Dr. Shannon Gary
Mr. Jerry Collins
Mr. Kevin Schafer
Lt. Kieran Barrett
File