

- Groups may bring a propane grill for use during their tailgate. Open flame fires and fire pits are prohibited.
- All trash and other belongings must be properly disposed of or otherwise removed upon completion of the tailgate.
- No animals are allowed inside athletic facilities. Dogs are allowed outside the stadium fencing but must be on a leash.
- Fans and spectators who violate tailgating and alcohol policies may be removed from College grounds and prohibited from future events.

Alcoholic Beverages on College Property

- Only the Union College Dining Service is authorized to sell alcoholic beverages on College property unless a College approved third party vendor is secured by a Host Organization. The sale of alcoholic beverages by any other organization or by individuals, whether directly, or indirectly, through the purchase of a ticket, a cup, a tee shirt, wristband or any other item allowing admission, is prohibited on College property.
- Because a significant majority of Union students are under the legal age at which alcoholic beverages can be obtained, funds collected by the College for student government distribution to student activities and organizations may not be used to purchase alcoholic beverages.
- Alcoholic beverages in “open” containers (cans, bottles, or cups) are not permitted outdoors on the campus at any time, unless prior, written approval is obtained directly from the Dean of Students or his or her designee. If approved, the event sponsor must ensure that all those attending the event comply with any specifications outlined by the Dean of Students or his designee as conditions for approving the request to have “open” containers outdoors.
- No students or student groups are to have alcohol delivered by distributors to campus.

STUDENT CONDUCT CODE

(Updated August 10, 2018)

Introduction

Students and student organizations at Union College are expected to promote the educational aims of the College through individual personal integrity and responsibility, both on and off campus. It is vital to maintain a strong system of accountability and to address issues of discipline and resulting behaviors. Through initiatives including counseling programs, strong discipline programs, and close control of social events, our goal is to strive to ensure that our students’ and student organizations’ behavior remain consistent with community standards.

By valuing a diversity of opinions and life styles, members of the College community are bound together both by respect for the individual and collective rights of others and by recognition of the

primary aims of learning and development of the disciplined mind that brings us together. Judicial action will be taken against students and student organizations whose conduct adversely affects the College community or the pursuit of the College's objectives.

Individuals who join together to share common interests; whether in a club, a Greek house, or a theme house; collectively share a common responsibility. They must ensure that fellow individual members or groups of members uphold the values of their organization. A group cannot ignore or escape its responsibility for the actions of its members. Moreover, it must be understood that while special interest groups are viewed as worthwhile components of the educational experience, Union College will recognize such groups only so long as the actions of their members are consistent with the College's purposes, expectations, and policies.

The Union College Conduct System is designed to hold students and student organizations accountable for their behavior and that of their guests, to promote the protection of the College community and property, and to protect the rights of the members of that community to function in an environment conducive to academic pursuits. It is designed to challenge the inappropriate behavior of individuals in a supportive and educational manner that will encourage them to understand the impact of their behavior on individuals and the community.

The purpose of this document is to set forth Union College's Student Conduct procedures. Capitalized terms have the meanings set forth below in the section entitled "Interpretation of the College Judicial Code."

Interpretation of the College Judicial Code: Definitions

- **Accused:** The Accused is the student who is responding to the Complaint and charges.
- **Administrative Board:** The Administrative Board hears cases of alleged individual violations of the Conduct Code involving off-campus reports and cases of alleged organizational violations of the Hazing Policy (on- or off-campus).
- **Administrative Review:** This term refers to a judicial process described in this document.
- **Advisor:** An Accused/Complainant may bring any person he / she wants to the hearing as a consultant (a/k/a "Advisor"). This person must be a full time employee of the College (faculty, administration, or staff) or student who is not an attorney or parent/legal guardian. The Advisor provides the Accused or Complainant advice during the hearing. The Advisor is not allowed to argue for, advocate for, or present the case for the student or to address the Board.
- **Advisory Committee on Hazing:** The Advisory Committee on Hazing is chaired by the Senior Associate Dean of Students/Director of Student Conduct. The Advisory Committee on Hazing consists of professional staff and student representatives from the Fraternity & Sorority Life Office, Student Forum, Athletic Department, Counseling Center, Campus Safety, and Communications Office; the Title IX Coordinator; and the College Counsel. The Advisory Committee on Hazing monitors hazing-related matters and provide input, guidance, and recommendations on an as-needed basis.

- **Board Hearing:** A hearing is a structured meeting designed to elicit the relevant information while providing the Accused with the opportunity to challenge the statement of the Complainant
- **Chair:** The Chair is the chairperson of the Hearing Board who is a voting member of the Board.
- **Code of Student Conduct:** The document(s) in which the rules governing behavioral expectations of students are listed, including information regarding violations, complaints, etc.
- **College Policies, Rules and/or Regulations:** This term refers to the written regulations of the College including, but not limited to: Rules of Public Order; the Student Conduct Code; Policy Prohibiting Discrimination, Harassment, and Retaliation (including acts of intolerance and hate crimes); Sexual Misconduct Policy; Policy Prohibiting Bias Acts; Alcohol and Drug Policy; Hazing Policy; Smoking Policy; Terms Abroad Conduct Code and Guidelines.
- **College Premises:** This term includes all campus land, buildings, and facilities, as well as off-campus property in the possession of, owned, or controlled by the College.
- **Complainant:** The person(s) responsible for filing the initial complaint. Can be the victim of misconduct, the witness to a violation of the Code, or Union College itself.
- **Conduct Code:** The Conduct Code is a document that sets forth the rules and regulations relating to conduct of students, including information regarding the type of violation that will subject a student to discipline and the procedures (the judicial process and its procedures).
- **Day:** This term refers to calendar days and includes weekends and holidays.
- **Deliberation:** Deliberation occurs when the Board looks at all the information, applies the College's standard of proof to that information, and makes a determination about the Accused's behavior with respect to the alleged violation. (See the chapter on Deliberation for a more substantial understanding of this topic.)
- **Director of Student Conduct:** The Director of Student Conduct is the College official in charge of administering the Conduct Code. The Director of Student Conduct and the Assistant Director of Student Conduct, with assistance of College Counsel, trains all of the Board, assures adherence to procedure, and answers questions about the process and information.
- **Evidence:** Evidence is any information brought to a hearing, whether furnished by witnesses or derived from documents or from any other source. It should be noted that the term "information" is preferred to "evidence."
- **Fraternity and Sorority Conduct Board:** The Fraternity and Sorority Conduct Board hears cases of alleged violations of the Conduct Code involving fraternities and sororities, except for potential violations of the Hazing Policy.
- **Hearing Board:** There are four Hearing Boards with the authority to hear Conduct Code cases: Judicial Hearing Board, Student Conduct Board, Fraternity and Sorority Conduct

Board, and Administrative Board. The Vice President for Student Affairs/Dean of Students is authorized to refer a matter to any one of the four Boards or to the Title IX Coordinator.

- **Hearing Coordinator:** The Director of Student Conduct coordinates the case.
- **Information:** Information is any knowledge, facts, or data brought to the hearing; whether furnished by witnesses, derived from documents, or from any other source.
- **Judicial Body:** This term refers to any person or persons appointed to determine whether a Student has engaged in a conduct code violation and to recommend imposition of sanctions.
- **Judicial Hearing Board:** The Judicial Hearing Board hears cases of alleged violations of the Code of Conduct, including cases involving an alleged violation of the Sexual Misconduct Policy.
- **Member of the College Community:** A current, matriculated student or student on leave or a full-time employee of the College.
- **Office:** The Vice President for Student Affairs/Dean of Students Office is the central location for student Conduct Code matters.
- **Responsible Student:** When the Accused is found in violation of the Conduct Code.
- **Sanction:** A sanction is a required action based on the outcome of either an Administrative Review or determined by the Director of Student Conduct after taking into account non-binding conduct conference recommendations of one of the Boards.
- **Standard of Proof:** The standard of proof in Conduct Code hearings is “preponderance of the evidence,” which simply means that, based upon the information, it is “more likely than not” that a violation occurred.
- **Student:** This term includes any individual who is matriculated at the College on either a full-time or part-time basis, and also includes any individual who is auditing a course at the College or who withdraws after allegedly violating the Student Code. Individuals who are both students and employees will be treated as Students for the purpose of this policy only if their primary relationship to the institution is that of student. Allegations against individuals who are regular employees (regardless of student status) will be handled under the appropriate College personnel policies.
- **Student Organization:** This term refers to any number of persons who have complied with the formal requirements for College recognition or registration as a student organization.
- **Student Conduct Board (also known as Student Conduct Committee):** The Student Conduct Board consists of students; the Chair is a student. The Director of Student Conduct, or designee, will assist the Student Conduct Board. The Student Conduct Board hears cases of alleged violation of the Code of Conduct.
- **Victim:** A Victim is a person who has been affected by the behavior of the Accused. Typically, Victims of sexual assaults are referred to as “Survivors.” Prior to a decision regarding the Accused’s behavior, Victims are “alleged” Victims.
- **Witness:** A witness provides information to the appropriate Conduct Code Board and must be a member of the College community. However, an exception may be made by the

Director of Student Conduct to allow a non-member of the College community to be permitted to testify upon written petition from the Accused or Complainant to the Director of Student Conduct, to be received at least 48 hours in advance of the Hearing. A character witness is a witness without direct knowledge of the incident in question who the Complainant, and/or Accused may desire to present to the Hearing only for the purpose of providing testimony relative to good character. Only one character witness can testify on behalf of any party.

Regulations Relating to Conduct

Violations of the Student Conduct Code by a student or student organization, or their guest, subject the student or student organization to disciplinary action. Such violations may include, but are not limited to the Table of Violations and Point Range and Table of Points and Sanctions contained in the Points System below and the following:

- **Threatening and/or Endangering Behavior:** The following policies address conduct that consists of threatening and/or endangering behavior of the well-being or safety of others: (i) Sexual Misconduct Policy; (ii) Policy Prohibiting Discrimination, Harassment, and Retaliations; (iii) Hazing Policy; and (iv) Policy Prohibiting Bias Acts and/or any other behavior that threatens or endangers oneself or the well-being or safety of others, or results in personal injury to others, including bullying.
- **Aiding and Abetting:** Helping or encouraging another person to engage in violations of College policy or being in the presence of policy violations.
- **Abuse of Technology:** Theft, misuse, or other abuse of technology facilities, technological systems, and resources belonging to the College or any individual. (See Policy on Acceptable Use of Information Technology Resources.)
- **Bias Incidents and Hate Crimes:** A Bias Incident is conduct that adversely and unfairly targets an individual or group because of prejudice against that individual's or group's actual or perceived identity. Some Bias Incidents may rise to the level of a Hate Crime. See the Policy Prohibiting Bias Acts.
- **Bullying:** The aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally, or physically injure or intimidate, and/or control another individual or group of individuals. Such aggressive and hostile acts can occur as a single, severe incident or repeated incidents and may manifest in the following forms:
 - **Physical Bullying:** Includes pushing, shoving, kicking, poking, and/or tripping another person; assaulting or threatening a physical assault; damaging a person's work area or personal property; and/or damaging or destroying a person's work product.
 - **Verbal/Written Bullying:** Includes ridiculing, insulting, instigating, spreading rumors about, or maligning a person either verbally or in writing; addressing abusive, threatening, derogatory, or offensive remarks to a person; and/or attempting to exploit an individual's known intellectual or physical vulnerabilities.
 - **Nonverbal Bullying:** Includes directing threatening gestures toward a person or invading personal space after being asked to move, leave the space, or step away.

- “Cyber Bullying”: Defined as bullying an individual using any electronic form including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- **Personal Privacy Interference:** Interference with the right to personal privacy of any member of the community.
- **Disorderly Conduct:** Behavior that intentionally causes or recklessly creates a risk of disruption to the College community or local community. These include such acts as violent, tumultuous, or threatening behavior; unreasonably loud or belligerent behavior; obstruction of vehicular or pedestrian traffic; or any behavior that infringes on the rights, safety, and/or dignity of others.
- **Property Theft and/or Damage:** Attempted or actual theft of, unauthorized use of, and/or damage to property of the College, property of a member of the College community, or other personal or public property whether on or off College premises.
- **Vandalism:** The intentional, reckless damage to or destruction of College property or the personal property of another.
- **Compliance:** Failure to comply with the proper requests of College officials, members of the Campus Safety Department, or emergency personnel acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so. In some cases. “officials” may be students employed to act on behalf of the College.
- **Dishonesty:** Acts of dishonesty include, but are not limited to:
 - Furnishing false information to any College official, faculty member, or office.
 - Forgery, alteration, or misuse of any College document, key, or instrument of identification.
- **Weapons and Dangerous Materials:** Possession or use of any type of firearm, explosive, fireworks, live ammunition, or any other potentially dangerous weapon or dangerous chemicals on College premises; or use of any item, even if legally possessed, in a manner that harms, threatens, or causes fear in others.
- **Violation of Law:** Violation of any local, state, or federal laws and ordinances.
- **Violation of College Policy:** Violation of any policy, rule, or regulation published in hard copy or available electronically on the College website, including, but not limited to, violation of the policies listed under Threatening and/or Endangering Behavior (above), the International Programs-Student and Parent Participant’s Agreement and Conduct policies imposed by the responsible International Programs Director, and the Greek Recognition Policy.
- **Abuse of the Student Conduct System or Academic Honor Code:** Abuse of the Student Conduct System or Academic Honor Code includes, but is not limited to, any behavior that attempts to influence, inhibit, or interfere with the Student Conduct System or Academic Honor Code process such as:
 - Falsification, distortion, or misrepresentation of information before a Student Conduct Board, Academic Honor Code Council, or administrator.

- Disruption or interference with the orderly conduct of a Student Conduct or Academic Honor Code proceeding.
- Attempting to discourage an individual from participating in, or using, the Student Conduct System or Academic Honor Code.
- Attempting to influence the impartiality of a member of a Student Conduct Board or Academic Honor Code Council prior to and/or during the course of the Student Conduct or Academic Honor Code proceeding.
- Harassment (verbal and/or physical) and/or intimidation of a member of a Student Conduct Board or Academic Honor Code Council prior to, during, and/or after a Student Conduct or Academic Honor Code proceeding.
- Influencing, or attempting to influence, another person to commit an abuse of the Student Conduct System or Academic Honor Code.
- Retaliation against any individual making a good faith report of a policy violation or for participating in, or cooperating with, the Student Conduct or Academic Honor Code process.
- Inappropriate sharing of information used in a Conduct Code proceeding.

Types of Hearing Boards

The Administrative Board

Composed of the Athletic Director, the Director of Fraternity and Sorority Life, the Director of Residential Life, the Assistant Dean of Students, or their designee(s) and will hear cases of alleged individual violations of the Conduct Code involving off-campus reports and cases of alleged organizational violations of the Hazing Policy (on- or off-campus).

The Fraternity and Sorority Conduct Board

Composed of eight (8) students and one (1) chair, who have been initiated into a fraternity/sorority with Full Recognition from Union College. The Director of Fraternity and Sorority Life, or designee, shall serve as an advisor to the Board and does not have a vote. Two (2) of these members must be Executive Board Members representing the three (3) governing councils. The eight (8) members of the Board shall be selected by the outgoing Board members, the Chair, and the Director of Fraternity and Sorority Life through an application, interview, and review process. The Fraternity and Sorority Conduct Board will hear cases of alleged chapter violations of the Student Conduct Code and/or Fraternity and Sorority Policies. The Director of Fraternity and Sorority Affairs will be present throughout the hearing and deliberation process of the Fraternity and Sorority Conduct Board but is not permitted to vote.

The Judicial Hearing Board

Composed of faculty, staff, students, and the chair, a Senior Student Affairs Administrator who will have a vote. The faculty and staff members will be appointed by the Vice President of Student Affairs, and the student members will be selected by a process approved by the Student Forum. The Judicial Hearing Board is also known as the “Sexual Misconduct Panel” and adjudicates sexual misconduct cases (see Sexual Misconduct Policy).