

# **CODE OF STUDENT CONDUCT AND ACADEMIC INTEGRITY**

## **INTERIM POLICY**



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## ARTICLE 1: INTRODUCTION

1. The University seeks to create a community where rights and mutual responsibilities are both recognized and valued. The University promotes the intellectual and personal development of its student population within an environment of freedom of inquiry. In order to preserve this climate of academic freedom, students are expected and required to adhere to high standards of moral, ethical and professional behavior.
2. The University will regulate conduct which affects its interests as an academic community. All members of the community are obligated to observe and adhere to the civil and criminal laws of the local, state and federal authorities as well as to university regulations and policies.
3. This document refers to the procedures and regulations under the “Code”. Additional policies, judicial procedures and regulations which apply to students can be found in the Undergraduate/Graduate catalogues and publications about: [Fraternity and Sorority Life](#), [Residence Life](#), [Sexual Harassment](#), and other published documents. Students are responsible for following all university policies.
4. The guidelines set forth below are intended to ensure that all persons accused of violating the “Code” adopted by the University are treated in a fair and just manner and are afforded an opportunity to have an alleged violation fairly adjudicated. The “Code” describes both expected and prohibited types of behavior, procedures for adjudicating offenses committed by students and the sanctions which can be imposed for such violations.
5. The University reserves the right to modify, alter or repeal any of the procedures, rights or responsibilities set forth in this code at any time. Such changes will be posted in appropriate official university vehicles, which may include its website, newspaper, electronic or print publications and any other communication vehicles which may be officially used, prior to going into effect.

## ARTICLE 2: DEFINITIONS

These definitions apply for the purposes of this “Code”:

1. **Administrative Conference:** A meeting scheduled with a responding student and a Conduct Officer where the responding student has an opportunity to present information about an incident.

2. **Appellate Body:** The term “appellate body” means any person or persons authorized to consider the appeal of a hearing body’s determination that a student has violated the Student Code of Conduct or sanctions imposed.
3. **Business day:** Any day except Saturday, Sunday and holidays when University administrative offices are open.
4. **Complainant:** Any individual or the University itself acting through one or more of its departments or personnel, who has brought forth a complaint resulting in a charge of violation(s) of university policy.
5. **Conduct Advisor:** Students and complainants may request the support of a Conduct Advisor throughout the student conduct process. Conduct Advisors are trained volunteers who are familiar with the Code of Student Conduct and related university procedures. They can offer procedural guidance, help individuals prepare for meetings or hearings, and ensure students understand their rights and responsibilities. While they do not speak on a student’s behalf or serve as legal representatives, they can provide moral support and help clarify what to expect at each stage of the process.
6. **Hearing Officer:** Any University staff member or administrator with responsibility for investigating and adjudicating student conduct cases.
7. **Faculty:** Any person having faculty, instructing staff, adjunct or lecturer status.
8. **Member of the University community:** Any student, faculty member, university official, guest, licensee, or staff member at the university.
9. **Not Responsible:** The term “Not Responsible” as an outcome of a hearing means that there was insufficient information to determine that the respondent’s behavior violated the Code of Conduct.
10. **ODOS:** Refers to the Office of the Dean of Students.
11. **Student Organization:** an organization in which two or more members are students enrolled at NJIT, whether or not the organization is established or recognized by the institution.
12. **Preponderance of the Evidence:** Refers to the evidentiary standard used to determine whether a violation of university policy has occurred. The standard is met when the available evidence shows that it is “more likely than not” that the respondent committed the violation. This means that the information indicates a greater than 50% likelihood that the violation occurred.

13. **Policy:** Any regulation of the university found or referenced in but not limited to the “Code”, the Student Handbook, the Residence Life Guide, or the Undergraduate/Graduate Catalogs.
14. **Respondent:** Any student or organization alleged to have violated a University policy, regulation or other officially approved rule.
15. **Responsible:** The term “Responsible” as an outcome of a hearing means that there was sufficient information to determine that the respondent’s behavior violated the Code of Conduct.
16. **Student:** Any individual enrolled in one or more courses at the university, whether graduate, undergraduate, full-time, part-time, matriculated, non-matriculated, day, evening, online or maintaining registrations. Those students living in university residences who attend other post-secondary institutions are included within this definition.
17. **Student Conduct Hearing Board:** Refers to trained members of the NJIT community that are convened to determine findings of responsibility and assign sanctions.
18. **University:** Refers to New Jersey Institute of Technology.
19. **University official:** Any person authorized by the University to act in a representative capacity within the scope of their professional or administrative responsibilities.
20. **University premises:** Any building, land (including adjacent streets and sidewalks) or facility, fixtures or equipment owned, leased, operated, controlled or supervised by the University.
21. **University sponsored activity:** Any activity, on or off campus, which the university officially recognizes, participates in, or supervises.

## ARTICLE 3: CONDUCT AUTHORITY

### Section 1. Institutional Authority

The authority for student discipline rests with the Board of Trustees, and is delegated through the President and the Vice President for Student Affairs to the Office of the Dean of Students and designated hearing bodies, as listed in Section 3. This “Code”, as adopted by the Board of Trustees, shall take precedence over any lesser code that pertains to students.

## Section 2. Role of the Office of the Dean of Students

The Office of the Dean of Students (ODOS) is responsible for overseeing the student conduct process and administering the Code, as delegated by the President. ODOS manages all reports of alleged misconduct and ensures that cases are resolved fairly and in accordance with university procedures.

## Section 3. Hearing Bodies

Depending on the nature of the nature, type, and location of the alleged violation, student conduct cases may be adjudicated by the following bodies or university employees:

- Residence Life Professional Staff
- Student Involvement & Leadership Staff
- Dean of Students Staff
- The Student Conduct Board

Decisions made by any of the above hearing bodies shall be final, pending the appeal procedures outlined in this Code.

## Section 4. Jurisdiction

The Code of Conduct outlines NJIT's expectations for students and student organizations. It applies to conduct on NJIT property, during university-sponsored activities, and at off-campus locations affiliated with NJIT. This includes misconduct before classes begin, after classes end, during semester breaks, leaves of absence, and between enrollment periods. Under the Code, a student is defined as anyone (including full-time, part-time, and visiting students as well as students auditing classes) from admission until graduation or permanent separation from the university.

Students in study-abroad programs or external internships are subject to both NJIT's Code of Conduct and the host institution's policies. NJIT reserves the right to review alleged misconduct in these programs, impose additional sanctions, and remove students if their behavior violates university policies. Students removed for misconduct may face financial penalties associated with withdrawal.

Student organizations are responsible for misconduct at off-campus events they host, sponsor, or attend, including fraternity and sorority events, club sports, and academic gatherings. NJIT also retains discretion to address off-campus conduct that threatens health or safety, disrupts university operations, or violates NJIT policies, such as violent crimes, sexual misconduct, hazing, illegal drug distribution, or discriminatory harassment.

Recognizing that misconduct occurs in digital spaces, NJIT applies its Code of Conduct to online behavior, including email, social media, and other digital platforms. While NJIT does not actively monitor private online activity, it may investigate and respond to reported misconduct, such as harassment, threats, unauthorized recordings, or other policy violations. Online behavior that significantly disrupts the NJIT community or targets students or employees may result in disciplinary action, even if it occurs on personal accounts or private forums.

NJIT retains jurisdiction over students who withdraw, take a leave of absence, or graduate if the alleged misconduct occurred before their separation from the university. In cases of serious misconduct that would have resulted in expulsion, NJIT reserves the right to take disciplinary action, up to and including the revocation of a degree. In addition to cases that would have led to expulsion, NJIT may also seek to revoke a degree in rare circumstances where misconduct, discovered after graduation, results in the student no longer meeting degree requirements.

NJIT's conduct process operates independently of legal proceedings, meaning disciplinary action may proceed regardless of whether criminal charges are filed, reduced, dismissed, or resolved in court. Students under investigation by law enforcement for potential NJIT policy violations must report this to the Dean of Students.

The Dean of Students (or designee), in consultation with the Office of General Counsel, determines NJIT's jurisdiction over off-campus or online misconduct based on the violation's nature, connection to NJIT, and impact on university operations. Students seeking clarification about the Code of Conduct or their rights may contact the Office of the Dean of Students.

## **ARTICLE 4: STUDENT RIGHTS**

Students that are alleged to have violated the "Code" have the right to:

- A fair and impartial process.
- Privacy throughout the conduct process.
- Respond to reports of alleged violations and access information related to the report.
- Request to review information and documentation related to their conduct file.
- Have a Conduct Advisor accompany them to conduct related meetings or hearings with advanced notice to the Hearing Officer. The availability of a Conduct Advisor is not sufficient grounds for postponing meetings/hearings.
- Present witnesses providing they have information deemed to be relevant.
- Receive written notice of the case resolution including any opportunity to appeal or to request a Conduct Board Hearing.
- Request reasonable accommodations for participating in the conduct process.

## ARTICLE 5: VIOLATIONS

### Guiding Principles

1. The University will protect the safety and wellbeing of the campus community as well as University-related facilities and property. This right includes taking disciplinary action for offenses occurring off campus when, in the determination of the judicial body, they pose a substantial danger to, or adversely affect, the University community and/or the pursuit of its objectives.
2. The university will charge and if found to be responsible, apply sanctions against any student organization or group when prohibited conduct is engaged in or related to the activities and/or interests of that organization/group, or such conduct is engaged in by a collection of individuals of the organization/group. For any violation of this Code, action may be taken against individuals, student organizations, groups or any such combination.
3. Being under the influence of drugs and/or alcohol does not diminish or excuse a violation of the Code, and in fact, may elevate the offense(s) and result in more severe sanctions.
4. Students must familiarize their guests with this Code. Students shall be responsible for the actions or behavior of their guests.
5. If a violation of university guiding principles, guidelines, rules and/or regulations, published in this or other university document or public statement, occurs which is also a violation of law, the university may take disciplinary action against student offenders in addition to what may be filed by law enforcement agencies with their respective jurisdictions. Such action is independent of and may proceed before, during or following civil or criminal action. Such actions are not subject to challenge on the basis that civil or criminal charges involving the same incident have been reduced or dismissed. The university may adjudicate violation subject to a civil or criminal proceeding taking place off-campus if such violations have or if they foreseeably may have an adverse effect on the university community and its objectives.
6. Any student who withdraws from, or fails to return to, the university while disciplinary action is pending against them will be ineligible for readmission unless the charges are dismissed or resolved. The university reserves the right to restrict those individuals from the campus while they have unresolved disciplinary charges pending.
7. Attempts to engage in acts or behaviors prohibited by this Code, or assist others to violate this Code, shall be treated as though the behaviors were completed, and may result in the same sanctions being applied as if the acts or behaviors were completed.

## Section 1. Respect For The Campus Community

1. **Harassment, Intimidation & Bullying:** No student shall engage in conduct, whether physical, verbal, written or in electronic form that is so severe, pervasive or persistent as to substantially disrupt or interfere with the orderly operation of the institution or the rights of a student to participate in or benefit from the educational program. This includes but is not limited to:
  - a. Threats to another's safety, rights of personal privacy or property.
  - b. Acts that interfere with another's education or participation in the NJIT campus community.
  - c. Engaging in conduct which a reasonable person should know, under the circumstances, will have the effect of insulting or demeaning any person or group or causing alarm.
2. **Defamation:** Students are expected to communicate with honesty and integrity in all forms, including verbal, written, and digital communications. They are prohibited from knowingly making false statements about any member of the NJIT community and sharing those statements in ways that could harm the individual's reputation, relationships, or standing within the community. This includes spreading false information with the intent to cause harm, embarrassment, ridicule, or damage to another person's character or credibility.
3. **Act of Bias:** No student shall commit an act against another person that is motivated by bias or prejudice, and in violation of federal or state laws, and/or university policy. A bias act occurs when a student subjects another to discrimination, harassment, abuse, bullying, stereotyping, marginalization, or any other form of mistreatment because they identify or are associated with a particular group. Bias acts can be verbal, written, physical, or psychological behaviors committed on the basis of actual or perceived race, religion, color, sex, age, sexual orientation, gender identity or expression, national origin, ancestry, disability, marital status, civil union or, domestic partnership status, atypical heredity, cellular blood trait, or veteran status. Any act of bias, discrimination, or harassment based on sex, sexual orientation, gender identity and pregnancy or pregnancy-related conditions may be adjudicated under [NJIT's Title IX Sexual Harassment Policy](#).
4. **Respect for Property:** Students are expected to respect the property of others and the University. The following behaviors are prohibited:
  - a. **Theft or Possession of Stolen Property:** No student shall take, attempt to take, or possess University, personal, or public property without the consent of the owner or person legally responsible for that property. This includes theft of services and acting as an accessory in such acts.
  - b. **Fraud or Misappropriation:** Procuring University services, resources, or property through false pretenses or deceptive means is prohibited. This includes defrauding, embezzling, or misusing University funds or access.

- c. **Damage, Vandalism, or Misuse of Property:** No student shall intentionally or recklessly damage, deface, destroy, graffiti, litter, or otherwise vandalize University property or the property of others. This includes tampering with safety or security equipment and misusing facilities or equipment.
  - d. **Unauthorized Use or Access:** Entering or remaining in restricted areas, including buildings, rooftops, or facilities, without permission is prohibited. This also includes unauthorized or inappropriate use of property belonging to the University or others.
5. **Hazing:** No student shall take action, create, or participate in any situation, whether formally or informally, that recklessly endangers another person's psychological, mental, or physical health for the purpose of initiation to and/or affiliation with any organization, group, team, club, or cohort in accordance with university policies, or in violation local, [state](#) or [federal](#) laws. For the purposes of this policy, hazing includes observation of hazing activities by individuals in a position to intervene but who fail to intervene, including organization officers/leaders who are aware of planned hazing activities and who condone and/or fail to prevent that hazing from occurring, regardless of their participation.

Examples of hazing include but are not limited to forced consumption of alcohol, drugs, food, liquids, or undesirable substances; branding; paddling; beating; sexual rituals; and forced participation in criminal activity or activity that violates the Code of Student Conduct. Behavior falling into these categories shall be considered hazing regardless of the consent of the participant(s). [Additional information about NJIT's Hazing Policy and associated grievance procedures can be found online.](#)

6. **Disruptive or Disrespectful Conduct:** Students are expected to conduct themselves in a manner that supports the academic, administrative, and social functions of the University. Disruptive or disrespectful conduct includes behavior that intentionally or recklessly interferes with any University activity or University-sponsored event, whether academic, administrative, recreational, or social in nature.

Prohibited behavior includes, but is not limited to:

- Interfering with an instructor's ability to teach or students' ability to learn in a classroom or academic setting.
- Verbally or physically confronting, harassing, or otherwise disrespecting faculty, staff, or peers in a way that disrupts normal operations.
- Disrupting presentations, meetings, campus events, or University business, including governance or administrative processes.
- Obstructing the movement of people or impeding access to buildings or facilities.
- Encouraging or inciting others to engage in disruptive or obstructive behavior.
- Engaging in disorderly, threatening, or obscene conduct in any University setting.

This policy is not intended to limit academic freedom, peaceful protest, or classroom dissent when expressed in a respectful and orderly manner consistent with University policies on time, place, and manner.

7. **Failure to Comply with Official Directives:** No student shall fail to comply with any written or verbal directives of university officials acting in the performance of their duties. This includes but is not limited to:
  - a. Failure to identify oneself or provide proper identification when requested.
  - b. Lying with the intent to deceive or misrepresent oneself with University documents.
  - c. Failure or refusal to respond to a reasonable directive or report to an administrative office.
  - d. Fleeing or attempting to flee when approached by a staff member.
8. **Misuse of Documents:** No student shall intentionally furnish false information nor shall a student forge, alter, destruct, or misuse any university documents or data. This includes but is not limited to:
  - a. Altering or misrepresenting student records, identification, timesheets, and/ or academic forms and/or files.
  - b. Conveying false information/documents for the purpose of defrauding or cheating.
  - c. Conveying information/documents known to be false.
9. **Unauthorized Posting:** Upon receiving University authorization, members of the campus community may advertise on-campus events on designated bulletin boards and posting areas only. Notices may not be placed on automobiles, windows, doors, wood, brick, glass, painted surfaces, etc. The event sponsors must remove advertising materials 48 hours after the event concludes.
10. **Unauthorized Recreational Activities:** Participating in recreational activities inside University facilities is not permitted unless it is part of a University authorized event or initiative. Examples of unauthorized indoor recreational activities include but are not limited to: hockey, skating, roller-blading, skateboarding, football, baseball, frisbee, tennis, bowling, and soccer.

Additional restrictions regarding unauthorized item use include:

- a. Bicycles, scooters, skateboards, roller-skates, roller-blades, or other recreational transportation devices are not permitted to be used within the interior of any University building. Use of these devices is restricted to outdoor areas and must be performed in a manner that does not:
  - i. cause damage to the ground or building structures, and/or

- ii. interfere with the normal activities of the University and the University Community.

Additionally, bicycles and rental scooters are not permitted to be stored within the interior of any University building. Bicycles must be parked in bike racks available near all facilities.

- b. Hoverboards (hands-free Segway) or other recreational transportation devices containing lithium-ion battery packs are prohibited anywhere on campus.
- c. The use of water balloons is restricted to outdoor areas only and must not impose on the normal activities of the University and the University Community.

11. **Commercial Activities and Solicitation:** Solicitation for donations, business advertising, or selling items without written authorization from a University Official is prohibited. The unauthorized operation of any commercial enterprise on campus or in any University facility is prohibited.

12. **Violations of Local, State, or Federal Law:** Students are expected to comply with all applicable federal, state, and local laws. The University may pursue disciplinary action for conduct that would constitute a violation of criminal or civil law, regardless of where the conduct occurs or the outcome of external legal proceedings. This includes behavior occurring on or off campus, during University-related programs or events, and in digital or online spaces. The University retains the discretion to initiate its conduct process independently of law enforcement investigations or criminal court outcomes and may refer suspected legal violations to appropriate authorities when deemed necessary.

## Section 2. Safety and Security

1. **Weapons:** No student shall possess or introduce to the campus any dangerous weapons including, but not limited to: firearms, explosives, knives (other than small pocket type or table knife,) compressed air gun, BB guns, paintball rifles or pistols; martial arts weapons, ammunition, dangerous chemicals, bows, arrows, items used as weapons in threats or actual acts of violence, or other potentially harmful objects. Replicas and facsimiles of weapons are considered weapons and are also prohibited.
2. **Interference:** No student shall interfere with the public and/or personal safety of others through negligent or intentionally improper acts including but not limited to propping open doors which are normally locked; intentionally damaging door locks or safety mechanisms; exiting or entering buildings through windows or unauthorized entrances.
3. **Physical Misconduct:** No student shall use unwelcome force or inflict bodily harm on any person, group or animal.
4. **Threat to Safety:** No student shall engage in any activity or behavior that creates a threat or a perceived threat to the safety and well-being of themselves, the University, or others.

5. **Identification Cards:** All students are required to carry and present valid University identification when requested to do so by a University Official. No student shall alter or forge any identification card or other document presented to show proof of age.
6. **Guest Responsibility:** When a student has a guest or guests on campus, the student assumes responsibility for the conduct of that guest or guests. All campus guests must carry a valid photo ID at all times and present that ID when requested by a University Official. [Additional information regarding policies in the residence halls that students are required to follow can be found online.](#)
7. **Unauthorized Access:** Unauthorized entry into University facilities or property without explicit consent is prohibited. No student shall possess, without explicit authorization by the appropriate University entity, any keys or codes to any University facility or premises. No student shall provide unauthorized access to anyone without explicit authorization by the appropriate University entity. Restrooms with gender designations are for the use of people with that gender identity.
8. **Restricted Areas:** No student shall enter into or upon any restricted or secured area of the campus or any University facility without explicit consent and authorization from a University Official. Restricted areas include but are not limited to roofs, utility rooms, construction sites and emergency areas not designated for that purpose.
9. **Dangerous Conditions:** No student shall engage in any activity or create a condition that endangers or threatens the health, safety, or well-being of themselves or others.
10. **Aiding and/or Inciting in Prohibited Conduct:** No student shall aid, help, or otherwise assist another in violating any rule applicable to the "Code" or other university policy. No student shall encourage others to commit any acts prohibited in the "Code" or other university policy

### Section 3. Alcohol/Drugs/Gambling/Smoking

1. **Alcohol:** The University prohibits the possession and consumption of alcoholic beverages for those under the age of 21. The sale, giving, serving, manufacturing, and dispensing of alcoholic beverages to those under the age of 21 is prohibited.

Unauthorized consumption of alcohol, public consumption, public intoxication, or the possession of an open container of alcohol, regardless of whether the individual is over 21, is prohibited. [Additional information related to alcohol policies can be found online.](#)

- a. **Excessive Consumption:** To discourage excessive consumption of alcoholic beverages, bulk containers of alcoholic beverages and items that encourage the

excessive consumption of alcohol are prohibited on campus, in all facilities and residence halls, and for student organization events. This includes but is not limited to kegs, funnels, beer balls, draft containers of wine, beer pong tables, beer helmets, alcohol related games, etc.

- b. **Underage Possession/Consumption:** Students under 21 years of age may not possess or consume alcoholic beverages.
  - c. **Manufacturing/Dispensing:** The sale, giving, serving, manufacturing and dispensing of alcoholic beverages to those under the age of 21 is prohibited.
  - d. **Empty Containers:** Students under the age of 21 are prohibited from possessing any containers that once contained alcohol. Art or decorative projects/items using containers that previously contained alcohol is prohibited. Empty containers include but are not limited to beer bottles, liquor bottles, wine bottles, flasks, etc.
  - e. **Public Consumption/Intoxication:** Students are not permitted to consume alcohol or be intoxicated in public or common areas no matter their age. Exceptions to public consumption may include participation in a university-sanctioned event if a student is of legal drinking age. Public intoxication includes but is not limited to changes in speech, balance, and behavior, being unconscious; and vomiting.
2. **Drugs:** The University prohibits the use, possession, manufacture, distribution, or dispensing of any controlled substance as defined by New Jersey State or Federal law. No student shall possess substances defined as controlled, other than personally prescribed medications. No student shall abuse or improperly use over the counter drugs/substances. The use or possession of prescription drugs prescribed to another person is prohibited. [Additional information related to marijuana guidelines can be found online.](#)
- a. **In The Presence of Illegal Drugs:** Knowingly remaining in the presence of drugs, drug use, and/or drug paraphernalia on campus or in any University facility is prohibited.
  - b. **Drug Paraphernalia:** Possession of drug paraphernalia on campus, in any residence hall, or in any University facility is prohibited regardless of whether it has been used or not. This includes but is not limited to bongs, bowls, pipes, grinders, hookahs, vaporizers, roach clips, etc.
  - c. **Manufacture/Distribution:** Manufacturing, selling, transferring, giving away or exchanging something in return for substances defined by New Jersey or Federal law as illegal is prohibited.

- d. **Use/Possession:** Use or possession of substances defined by New Jersey or Federal law as illegal is prohibited as is possession of substances other than personally prescribed medications. Students are not permitted to abuse or improperly use prescribed or over the counter substances.

The NJIT Amnesty Policy is designed to support students to obtain professional medical treatment for themselves or others when dangerously intoxicated or impaired without the threat of disciplinary action in certain circumstances. [Additional information regarding the Medical Amnesty policy can be found online.](#)

3. **Gambling:** No student shall gamble (stake or risk something of value upon the outcome of a contest of chance) for money or other valuables on University property or in any University facility without the expressed authorization of the University.
4. **Smoking/Tobacco Free Campus:** Smoking and the use of any tobacco product are strictly prohibited in all University-owned or leased buildings including residence halls, public spaces within the NJIT campus such as terraces, in front of buildings, walkways, parking garages and lots, University owned or leased vehicles, as well as all University owned outdoor property and recreation areas. For purposes of this policy, “tobacco product” means any substance containing tobacco or a tobacco-derived substance, including and not limited to cigarettes, electronic cigarettes, vapes, and oral tobacco, or any other preparation of tobacco. It also includes any product intended to mimic tobacco products, contain tobacco flavoring or deliver nicotine. This policy does not prohibit products approved by the U.S. Food and Drug Administration, when used for cessation. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product, including marijuana and cannabis products, intended for inhalation, whether natural or synthetic, in any manner or in any form. Smoking includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking. The use of marijuana and cannabis products in any form is strictly prohibited (refer to the University Guidelines on Marijuana and Regulated Cannabis Use Policy) in all indoor and outdoor University-owned or leased spaces. [Additional information on the Smoke/Tobacco Free Campus can be found online.](#)

## Section 4. Health and Safety

1. **Fire Safety:** No student shall cause or create a fire; attempt to set a fire; set off a fire alarm; initiate a false report; unnecessarily discharge fire extinguishers; damage, tamper with, dismantle, or disconnect any fire safety system or equipment. No student shall act in a manner that disregards fire safety rules. Students must evacuate any University facility when the fire alarm is activated.

2. **Arson:** No student shall set fires, attempt to set fires, or act in a manner that disregards fire safety rules and results in a fire.
3. **Prohibited Items:** Any item or device that constitutes a threat to fire safety on campus is prohibited. This includes but is not limited to: fireworks, flammable liquids, portable stoves, grills and/or barbecues, hoverboards, torches, etc. [Additional information regarding prohibited items in the residence halls can be found online.](#)
4. **Cooking and Appliances:** Cooking may only occur in University designated kitchens. Food that is cooking should not be left unattended for any reason and should be checked regularly. [Additional information regarding appliances in the residence halls can be found online.](#)
5. **Pets/Animals:** No pets are permitted in University buildings except service dogs, other service animals in training, and pre-approved emotional support animals. On-campus residents may only have fish in a tank of no more than 10 gallons. [Additional information regarding requesting accommodations can be found online.](#)

## Section 5. Abuse & Misuse of the Conduct Process

1. **False Information:** No student may falsify, distort, or misrepresent information before a judicial body, a Conduct Officer, or in the course of a student conduct investigation. No student shall initiate a conduct proceeding knowingly without cause. No student shall provide false information to University officials who are acting in the performance of their duties.
2. **Disruption of the Conduct Process:** Disrupting or interfering with the orderly procedure of a conduct investigation or hearing is prohibited. No student shall harass, attempt to harass (verbally or physically) or intimidate any member of the judicial body prior to, during, or after any conduct proceeding. All correspondence should be directed to ODOS and not members of the Conduct Board or Chair.
3. **Retaliation:** No member of the University community shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against a person who files a complaint, serves as a witness, or otherwise assists or participates in any conduct proceeding.
4. **Failure to Comply with Sanctions:** Failure to comply with or obstructing the implementation of sanctions issued by a judicial body is prohibited and can result in further conduct action. This includes but is not limited to violating the terms of probation, suspension or restriction(s), not completing any portion of an assigned sanction by the deadline and failure to fully satisfy all components of a signed Informal/Alternative Resolution agreement in the designated time frame. In addition, no one shall aid, abet, or assist anyone in failing to comply with official sanctions. Failure to complete sanctions

may also result in a hold on all University records and registration until the sanction is completed.

## Section 6. Responsible Use of Information Systems and Technology

1. **Violations of the Acceptable Use Policy:** All students are required to observe the NJIT Acceptable Use Policy for Cyber Resources. Failure to comply with this policy is considered a violation of the Code of Student Conduct. [Additional information regarding the acceptable use policy can be found online.](#)
2. **Unauthorized Recording:** No student shall make, attempt to make, or distribute any audio, video, or photographic recording of a person or class without the knowledge and effective consent of all parties involved. This includes private conversations, meetings, classroom activities, or other non-public interactions, whether on or off campus, and regardless of the device or platform used. The following are prohibited under this policy:
  - Secretly recording another person without their knowledge and consent.
  - Recording classroom lectures, discussions, or meetings without the advance permission of the instructor, unless authorized through documented disability accommodations.
  - Using hidden or undisclosed devices to monitor or record individuals.
  - Sharing, posting, or disseminating any recording—whether authorized or not—in a manner that invades privacy, causes embarrassment, or harasses others.
  - Making or sharing recordings that depict nudity, sexual activity, or other private settings without the clear, informed consent of all parties.

This policy does not apply to public events, spaces where no reasonable expectation of privacy exists, or recordings made for official law enforcement or investigative purposes. Violations may result in disciplinary action, up to and including suspension or expulsion, particularly when such recordings are used to harm, exploit, or intimidate others.

## Section 7. Title IX and Sexual Misconduct Reporting

NJIT does not discriminate on the basis of sex or gender in its educational programs and activities and does not tolerate discrimination or harassment on the basis of sex or gender. Pursuant to Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations, the university has promulgated a Title IX Sexual Harassment Policy, which adjudicates sexual misconduct when it occurs at 1) locations, events, or circumstances over which the university exercises substantial control over both the respondent and the context in which the conduct occurs; and 2) any building owned or controlled by a student organization that is officially recognized by the university. The Title IX Sexual Harassment Policy adjudicates sexual misconduct that is determined to be sexual harassment, sexual assault, domestic violence, dating violence and stalking as defined within Title IX. As stated in the Title IX Sexual Harassment Policy, the university will address instances of sexual misconduct that falls outside the scope of Title IX through this Code of Student Conduct.

The university expects and requires the behavior of its students to comply with its high standards of scholarship and conduct. Accordingly, sexual misconduct that falls outside the scope of Title IX is prohibited conduct and will be adjudicated under this Code. Sexual misconduct that falls outside the scope of Title IX but will be adjudicated hereunder includes, but is not limited to:

1. **\*Sexual Assault, Domestic Violence, Dating Violence and Stalking** that occurs outside the United States but still within a NJIT education program or activity;
2. **\*Sexual Assault, Domestic Violence, Dating Violence and Stalking** that occurs outside of a NJIT education program or activity but have continuing effects in the education program or activity;
3. **Sexual Harassment:** Conduct that is of a sexual nature and is so severe, pervasive or objectively offensive that it effectively denies a person equal access to the NJIT's education programs or activities consistent with other laws such as Title VII of the Civil Rights Act of 1964 and the New Jersey Law Against Discrimination;
4. **Sexual Exploitation:** A person taking non-consensual or abusive sexual advantage of another, that does not constitute sexual harassment, for their own benefit or for the benefit of anyone other than the person being exploited. Examples include, but are not limited to:
  - a. Capturing, listening to, watching and/or distributing by any means images, audio or visual recordings of another in a state of undress or during sexual activity;
  - b. Exposing one's genitals or inducing others to expose their genitals or intimate parts;
  - c. Knowingly exposing another to a sexually transmitted infection, disease or virus;
  - d. Prostituting another person;
  - e. "Stealthling," where an individual intentionally removes, damages or lies about the use of a condom when consent was given for protected sexual activity only;
  - f. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
  - g. Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
  - h. Knowingly soliciting a minor for sexual activity;
  - i. Knowingly creating, possessing, or disseminating child sexual abuse images or recordings; or
  - j. "Deepfakes," Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent.

\*As used in this Section, the terms "sexual assault," "domestic violence," "dating violence" and "stalking" will have the same definition as found in the Title IX Sexual Harassment Policy because the Title IX regulations defined these terms by reference to

the Clery Act as amended by VAWA, both of which NJIT must comply with. The definition of “sexual assault” in the Title IX Sexual Harassment Policy incorporates the defined terms, “consent” and “incapacitation.” Accordingly, when adjudicating claims of sexual misconduct under the Code of Student Conduct, the definitions of “consent” and “incapacitation” found in the Title IX Sexual Harassment policy will also be used.

Allegations of **sexual assault, domestic violence, dating violence and stalking** will follow the grievance procedures set forth in NJIT’s Title IX Sexual Harassment Policy with the exception of the live hearing requirements under Section IX. D5 a, b, and e. Upon completion of an investigation of a Formal Complaint, the Title IX Coordinator shall assign a trained Hearing Officer to review the final investigation report and all directly related evidence to make a determination of responsibility and sanction(s).

[View NJIT's Title IX](#) Policies online.

## ARTICLE 6: CONDUCT PROCESS

### Section 1. Complaint or Referral

Any individual may report a student suspected of violating this Code to the ODOS. If another office receives a report of suspected violation, the matter must be forwarded directly to the ODOS. If the alleged conduct is criminal in nature and is appropriately reported to Public Safety, or other applicable law enforcement agency, the ODOS shall be notified.

Any NJIT employee with knowledge of an alleged incident involving a student must notify the ODOS with the information, regardless of whether a report was made to law enforcement, a supervisor, and or department chair. A University Official may act as a complainant on behalf of the University and/or third parties. A complaint should be submitted as soon as possible after the offense, preferably within ten business days. However, there is no time limitation regarding the filing and subsequent commencement of proceedings hereunder.

Allegations of sexual misconduct as described in Article 5, Section 7 will follow the grievance procedures as defined in the Title IX and Sexual Misconduct policy.

### Section 2. Processes for Resolution

Upon receipt of a report of alleged misconduct, the Office of the Dean of Students (ODOS) reviews the information and determines the appropriate course of action. This may include gathering additional details, formally processing the incident, or scheduling meetings with involved parties. Depending on the nature and severity of the report, potential violations of University policy may be resolved through one of the following processes: a **Conference Waiver**, an **Administrative Conference**, or a **Student Conduct Board Hearing**.

If a student is scheduled to meet with a Hearing Officer, the meeting serves as an opportunity to respond to the allegations and provide relevant information. A decision may be rendered in the student's absence if the student fails to attend the meeting. In such cases, the student will be notified of the outcome, and absent extenuating circumstances approved by ODOS, no opportunity will be granted to submit new information for appeal purposes. Students requiring accommodations should contact the Office of the Dean of Students in advance.

- **Conference Waiver:** In some cases where the student does not dispute the facts of the incident and accepts responsibility, the student may waive the right to an Administrative Conference. Prior to submitting a waiver, the student must be informed of the right to a meeting. The waiver must be submitted in writing and include acknowledgment of responsibility for the violation. Students who resolve a case through a Conference Waiver may appeal the assigned sanction only, unless the waiver includes pre-determined sanctions, in which case the appeal option is limited or unavailable.
- **Administrative Conference:** An Administrative Conference is typically scheduled following a report of alleged misconduct. The purpose of the conference is to provide the respondent with an opportunity to present information and respond to the allegations. A Conduct Advisor or support person may accompany the student. In cases involving academic integrity, the referring instructor may be invited to participate. Following the conference and completion of the review, the Hearing Officer will determine whether a violation occurred and, if applicable, assign sanctions. The outcome will be communicated in writing.
- **Student Conduct Board Hearing:** If during the Administrative Conference, the Hearing Officer imposed a separable-level sanction (e.g., suspension, expulsion) or assigns an "XF" grade, the respondent has the right to request a review of the case by a Student Conduct Board. The Office of the Dean of Students will provide formal notice of the charges, the hearing procedures, and the date, time, and location of the hearing. In advance of the hearing, both parties will receive a summary of all oral and written evidence, including witness lists and relevant supporting documentation.

## Section 3. Student Conduct Hearing Board

**Criteria for review by the Student Conduct Hearing Board:** A case may be referred to the Student Conduct Hearing Board when a Conduct Officer recommends a separable-level sanction such as suspension, expulsion, or the assignment of an "XF" grade. These are considered significant disciplinary outcomes, and students have the right to request a hearing before the board in such instances.

### **Hearing Board Composition:**

1. The Student Conduct Hearing Board consists of either three or five voting members selected from a trained pool of NJIT students, faculty, and staff. Whenever feasible, at

least one graduate student should serve on the panel if the respondent is a graduate student, and at least one undergraduate student should serve if the respondent is an undergraduate student.

2. A non-voting Chair is appointed for each hearing and must be a faculty member or University Official. The Chair facilitates the hearing process, ensures adherence to procedures, and maintains order but does not cast a vote.
3. Voting board members must reach decisions by majority vote; abstentions are not permitted. In cases where relevant expertise is needed, an independent authority (e.g., a faculty member from a specific academic department) may be invited to provide clarification on technical or specialized aspects of the case.
4. Membership on the Student Conduct Hearing Board is open to students, faculty, and staff who meet eligibility criteria and complete the required training. Members may be appointed by the Office of the Dean of Students (ODOS) or nominated by campus organizations, including but not limited to the Student Senate and the Graduate Student Association. Training is coordinated by ODOS and typically held at the beginning of the academic year.
5. If a complainant or respondent believes that a hearing board member or Chair has a conflict of interest or bias that could impact the fairness of the outcome, a written objection must be submitted to ODOS within one business day of notification. The submission must include a detailed explanation of the concern. If ODOS determines there is a substantial and legitimate basis for the concern, a replacement will be appointed.

### **Hearing Procedures:**

1. All hearings are conducted in private to preserve confidentiality. Admission of individuals to the hearing is at the discretion of the Chair and ODOS, or as otherwise required by law.
2. The complainant and respondent may be accompanied by a Conduct Advisor (member of the NJIT University Community) of their choosing. The advisor may consult privately with the student but may not participate directly in the proceedings.
3. Board members receive all relevant hearing materials in advance of the hearing. At the start of the hearing, the Chair will review the charges and ask whether there are any questions about the process. The respondent will then be asked to respond to each charge. The Chair has authority over procedural matters throughout the hearing.
4. The hearing begins with opening statements from both the complainant and the respondent. These statements may include a general overview of the incident and any supporting evidence. Board members, the Chair, and both parties may ask questions during this phase.
5. The Hearing Officer who conducted the investigation may be called to summarize the report. The complainant, respondent, Chair, and board members may ask questions following this summary.
6. Witnesses may be called with prior notice to ODOS. Witnesses appear individually and do not remain for the duration of the hearing. They must have directly observed the

incident or provide relevant, first-hand information as determined by ODOS. Witnesses may be questioned by both parties, board members, and the Chair, and are excused after providing testimony.

7. After the presentation of evidence, the hearing concludes with closing statements from the respondent, complainant, and Hearing Officer (if necessary). Board members may ask final questions before entering deliberations.
8. Once all non-board participants are excused, the board begins deliberations. The determination of responsibility for each charge is made separately and is based solely on the evidence presented during the hearing. The standard of review is the preponderance of the evidence.
9. If the respondent is found responsible, the board may consider the student's conduct history when determining sanctions. The board has the authority to uphold, reduce, or increase any sanctions previously assigned by the Hearing Officer.
10. ODOS will issue a written outcome letter to the respondent within three business days of the board's decision. The letter will include a summary of the findings and any assigned sanctions. A copy of the outcome and supporting materials will be placed in the student's conduct file. The decision of the board is final.

## ARTICLE 7: INTERIM MEASURES

In certain circumstances where there is a threat to the safety and welfare of an individual or the community, interim measures are put in place pending the outcome of a student conduct process. Interim measures may include the following:

1. **Interim Suspension:** When a student is determined by the ODOS to pose a likely threat to themselves, to other persons, to university property, or to the normal operations of the university, interim suspension from the university may be temporarily imposed. The interim suspension may be made immediately and without prior notice upon recommendation of the ODOS. During interim suspension, students lose regular student privileges, such as the right to be present in campus residences, be on University premises or engage in any university activities or privileges as determined to be appropriate by the ODOS. The interim suspension shall be in effect until the case is heard by the appropriate judicial body. If the student is incarcerated or the incident is pending criminal charges, the conduct process may be postponed as determined by the ODOS. Students placed on interim suspension have the right to appeal the interim action in writing within 3 working days of the date of notification to the Vice President of Student Affairs or their designee.
2. **Interim Suspension of a Student Organization:** When a student organization is determined by the ODOS or the Office for Student Involvement and Leadership (OSIL) staff to pose a likely threat to themselves, to other persons, to university property, or to the normal operations of the university, interim suspension from the university may be temporarily imposed. The proceeding may result in an investigation and/or hearing in

accordance with the procedures outlined herein. The organization may also be referred back to the OSIL and/or Fraternity and Sorority Life for further consideration and action. Student organizations placed on interim suspension have the right to appeal the interim action in writing within 3 working days of the date of notification to the Vice President of Student Affairs or their designee.

3. **Interim Housing Suspension:** If it is determined by the ODOS or the Residence Life Office that a student's continued presence causes immediate concern to the safety of the residential community, that student may be immediately removed from housing pending the outcome of a student conduct process.
4. **No Contact Directive:** This directs specified parties to have no communication of any kind including in person, in writing, by phone, social media, through third parties (such as family or friends), and/or via computer or electronic communication devices.
5. **Other measures/remedies:** Any other measure that may be instituted by the University to ensure the safety and well-being of the campus community. This may include restrictions regarding technology, interim academic measures, and the use of dispute resolution methods such as mediation or restorative practices.

## ARTICLE 8: SANCTIONS AND RECORDS

### Section 1. Sanctions for Individuals

Any combination of one or more of the following sanctions or educational outcomes may be imposed upon any student who has been found responsible or accepts responsibility for a violation of the Code. This list of sanctions is not exhaustive. Additional sanctions may be imposed based on the circumstances of each case.

1. **Disciplinary Warning:** A disciplinary warning formally indicates to a student or organization that they have violated university regulations and their behavior is unacceptable within the community. Any continuation or repetition of prohibited conduct will result in more severe sanctions.
2. **Disciplinary Probation:** Probation is written notice to a student or organization which has violated university regulations that their status as a student or organization in good standing has been removed and that they are subject to further sanctions including suspension and/or expulsion upon continuation or repetition of prohibited conduct. Disciplinary probation is imposed for a specified time period for observing and evaluating the student/organization's conduct. Any violation of the terms of probation shall be charged as a separate offense, subject to the hearing procedures set forth in this Code,

with sanctions to include extension of probation, loss of privileges, suspension or expulsion.

3. **Loss of Privileges:** A student or organization may be excluded from participation in co-curricular activities including, but not limited to, eligibility to receive non-academic or nonfinancial awards/honors, representing the university in an official capacity, or engaging in intramural or intercollegiate athletics. This may also include temporary or permanent loss of parking privileges or loss of access to University resources or spaces.
4. **Restitution:** Compensation to the University for any damage to University facilities or property.
5. **Restorative Sanctions:** These include projects or assignments designed to mitigate the harm done to the affected parties and restore the University community. Restorative sanctions may include (but are not limited to) service hours and letters of apology.
6. **Educational Sanctions:** These include projects, workshops or assignments designed to educate a student or organization about the nature of the violation(s) committed, consequences of their actions and strategies for avoiding further violations in the future.
7. **Suspension:** Exclusion from enrollment, University premises, and/or other privileges or activities for a specified time period, after which the student is eligible for reinstatement. Suspension may be imposed during an academic term of enrollment and may continue for one or more additional terms as specified. Conditions for reinstatement may be specified. Notice of this shall appear on the student's transcript for the period the suspension remains in effect
8. **University Standing At Risk (USAR):** This status is issued to students who have committed a serious policy violation that could have resulted in suspension or expulsion; however, the university has elected to offer the student a final opportunity to remain enrolled. While on USAR, the student is expected to demonstrate full compliance with all university policies and maintain a standard of conduct consistent with institutional expectations. Any future violations, regardless of severity, will likely result in immediate suspension or expulsion. This status serves as a final warning and remains in effect for a period specified by the university or until graduation, whichever comes first.
9. **Expulsion:** Permanent exclusion from enrollment, University premises, and other privileges or activities. The student shall not be eligible for readmission at any future time. Notice of this action shall appear permanently on the student's transcript.

## Section 2. Additional Sanctions Pertaining to Residential Students

Residential students are bound by the terms and conditions of the housing agreement, [and the policies outlined online](#). In addition to sanctions listed above, the following list of sanctions may be applied to residential students:

1. **Reassignment:** A student may be reassigned to a new space on campus at the discretion of a University Official. The student will be given a specified time period to move to that new assignment or be subject to suspension from the residence halls and further conduct action.
2. **Suspension from Housing:** A student may be required to move out of the residence halls for a predetermined amount of time. Conditions for reinstatement to housing may be specified at the discretion of the University. While on suspension from the residence halls, the student may not enter any residential facility without the express authorization of the ODOS or the Residence Life Office. Any student who violates the terms of the suspension can be subject to expulsion from the residence halls and face additional conduct action. Students removed from the residence hall due to a conduct violation are not subject to refund of housing related fees.
3. **Expulsion from Housing:** A student may be required to move out of the residence halls permanently. Any student expelled from housing is prohibited from entering all residential facilities. Any student who violates the terms of expulsion can be subject to suspension from the University and additional judicial action.

### Section 3. Sanctions for Organizations/Groups

Any combination of the sanctions listed above or the following sanctions or educational outcomes may be imposed upon any student organization which has been found responsible for violations of the Code of Student Conduct:

1. **Loss of Privileges:** A loss of the ability to participate in one or more activities and or processes, a loss of funding opportunities, a loss of recognized student organization status, and/or other discretionary sanctions approved through the ODOS.
2. **Suspension of Official University Recognition:** Loss of all privileges provided to organizations, including but not limited to funding, participation in campus activities, use of campus facilities, solicitation/selection of new members. Suspension shall be imposed for a specified time period.
3. **Permanent Revocation:** Withdrawal of Official University recognition, loss of all privileges provided organizations, and permanent loss of opportunity to exist as a campus organization.

## Section 4. Student Conduct Records

An electronic record of violation(s) is kept in the student's file in the ODOS. The ODOS shall maintain the official disciplinary records and a disciplinary tracking system, which shall include, but not be limited to, the student's name and related identifying information. Disclosure of conduct history is only completed with the written consent of the student.

In cases not involving suspension or expulsion, all disciplinary records in the student's file shall be removed after seven years of continuous non-enrollment at the University.

## Section 5. Expungement of Records

The New Jersey Institute of Technology (NJIT) is required by law to retain a student's record for statistical purposes. The student conduct records may be destroyed seven years after the final decision is delivered to a student. These records may only be destroyed after a full review and directive by the Vice President of Student Affairs or their designee. A student may submit a request to the Vice President of Student Affairs or their designee to have their records expunged. Expungement in this context refers to the removal of the conduct record before the seven year period. Other reports associated with the student are maintained accordingly.

**Eligibility:** To be eligible for expungement, a student must meet all of the following requirements:

Undergraduate students must have completed at least 91 credits. Graduate student petitions will be considered on a case-by-case basis if the remaining stipulations have been met. It has been at least one (1) year since the completion of the date of the last sanction issued.

Factors that will be considered in the review of the request shall include:

- The nature of the violation(s)
- The number of violations
- Whether the student completed sanctions by the deadline imposed the student's behavior after the violation(s)
- The student's reason(s) for requesting the expungement
- How the Student believes that they have contributed to the NJIT community
- Any other factors believed to be reasonable and appropriate

**Exclusions:** Students are not eligible for expungement if they have been found responsible for any of the following:

- Sexual misconduct
- Hazing
- Acts of violence or threats of violence

- Causing physical harm to another person
- Any case in which the imposed sanction included one or more of the following:
  - Failure of the course
  - “XF” grade designation
  - Suspension/Expulsion

**Applying for Expungement:** Expungement requests can be made via an [online request form](#). Any student submitting an expungement request should provide a thorough explanation of the reasons they believe an expungement is warranted. Once received, the Vice President for Student Affairs or their designee will review the request and provide a written response. Submitting a request does **NOT** guarantee that an expungement will be granted.

The Vice President for Student Affairs or designee has the sole authority to grant or deny any request for the expungement of a student’s records. **This decision is final with no opportunity to appeal.**

If expungement is granted, the disciplinary record will be marked as expunged in the conduct system and will not be disclosed in routine conduct checks. However, the record will be retained for compliance and statistical purposes. If the student is found responsible for a subsequent violation, the expunged record may be reactivated and considered in future proceedings.

**Disclosure Responsibility:** Students should be aware that external institutions, licensing boards, graduate programs, or employers may still request or require disclosure of past conduct, regardless of the internal expungement status.

## ARTICLE 9: ADMINISTRATIVE APPEALS

This section applies only to students who wish to appeal the outcome of an **Administrative Conference** in cases where the assigned sanctions do **not** include suspension, expulsion, or the assignment of an "XF" grade.

In cases where the outcome of an Administrative Hearing results in suspension, expulsion, or an XF grade, the Student Conduct Board will review the appeal and render a final decision. The procedures outlined below do not apply to those cases.

### Section 1. Grounds for Appeal

A respondent found responsible by a Conduct Officer during an Administrative Conference for an offense not eligible to be heard via a Student Conduct Board Hearing may request an administrative appeal.

Such an appeal shall be based upon any of the following grounds:

1. **Procedural Error:** A procedural error so significant that it deprived the student of a fair disciplinary process.
2. **New Information:** To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.
3. **Disproportionate Sanctions:** The sanction(s) imposed is/are substantially disproportionate to the violation. The ODOS will review the appeal to determine if it meets the criteria.

## Section 2. Appeal Procedure

Students who wish to file an administrative appeal must submit a written request to the Office of the Dean of Students within five (5) business days of the date listed on their outcome letter. A link to the appeal request form is provided in the outcome letter. The Appeals Officer will review the submitted materials to determine whether the appeal meets one or more of the approved grounds. The review is limited to the original case file and the information provided in the appeal. While the Appeals Officer does **not** conduct a new hearing or reinvestigate the case, they may reach out to involved parties if clarification or additional context is needed in order to complete the review.

## Section 3. Appeal Decisions

After reviewing the appeal, the Appeals Officer may take one of the following actions::

1. Affirm the original finding and sanction(s);
2. Affirm the finding but modify the sanction(s);
3. Overturn the original finding and sanction(s)

All decisions of the Appeals Officer are final, and not subject to further appeal.

## ARTICLE 10: REVISIONS TO THE CODE

Individuals affiliated with the university conduct system may submit in writing any concerns or suggested modifications to the Vice President of Student Affairs for consideration. Upon review and consultation with the university legal counsel or any other pertinent individual, the Vice President of Student Affairs will consider the proposal and the recommendation. If the change proposed is editorial in nature or of a minor nature, the Vice President of Student Affairs can approve or disapprove the change. If the change proposed is substantial, the Vice President of Student Affairs will provide a recommendation to the President of the University. The President, after reviewing the proposed modification, shall determine whether to approve the modification and, if so, present it to the Board of Trustees for approval.

# APPENDIX A: UNIVERSITY POLICY ON ACADEMIC INTEGRITY

## Section 1. Purpose

New Jersey Institute of Technology is an institution dedicated to the pursuit of knowledge through teaching and research. The university expects that its graduates will assume positions of leadership within their professions and communities. Within this context, the university strives to develop and maintain a high level of ethics and honesty among all members of its community. Imperative to this goal is the commitment to truth and academic integrity.

This commitment is confirmed in this NJIT University policy on Academic Integrity. The essential quality of this Policy is that each student shall demonstrate honesty and integrity in the completion of all assignments and in the participation of the learning process. Adherence to the University policy on Academic Integrity promotes the level of integrity required within the university and professional communities and assures students that their work is being judged fairly with the work of others. This policy defines those behaviors which violate the principles of academic integrity, describes a range of appropriate sanctions for offenses, and identifies a method for promoting the principle of academic integrity on campus.

## Section 2. Definitions

### Scope of Definitions

The definitions and examples provided in this section are intended to help clarify common forms of academic misconduct. However, they are not exhaustive. Academic dishonesty can take many forms, including behaviors and practices not explicitly listed in this document. Instructors and university officials are encouraged to use their professional judgment when evaluating whether a student's actions violate NJIT's academic integrity expectations. Questions about conduct not covered here should be referred to the Office of the Dean of Students for guidance.

### **Cheating**

Cheating is defined as the intentional use, provision, or attempted use or provision of unauthorized assistance, materials, information, or study aids in any academic exercise. It also includes actions taken to prevent another student from using authorized resources.

Examples include, but are not limited to:

- Copying or attempting to copy answers from another student's exam, quiz, or assignment.
- Looking at another student's work during a test or academic exercise.
- Using or possessing unauthorized materials during an exam, such as notes, textbooks, formula sheets, sticky notes, or unapproved calculators.

- Using electronic devices, such as smartphones, smartwatches, smart glasses, earbuds, digital cameras, personal data assistants (PDAs), data storage devices, or computers, without explicit permission during exams or assignments.
- Accessing the internet or unauthorized applications during a closed-book or closed-device assessment.
- Possessing or using test materials, notes, answer keys, or assignment solutions obtained without permission from the instructor or institution.
- Having someone else take an exam, quiz, or other assessment on one's behalf, or impersonating another student to complete an academic task.
- Memorizing and submitting externally sourced codes, formulas, or programs that were not independently developed, and which are not permitted by the instructor.
- Offering, sharing, or receiving answers or other unauthorized information related to a test or assignment, either during or after its completion.
- Collaborating on an assignment or exam that is intended to be completed individually, without instructor approval.
- Intentionally helping or attempting to help another student engage in any of the behaviors listed above.
- Using generative artificial intelligence (AI) tools to produce responses, code, or solutions for any part of an assignment or exam without the explicit permission of the instructor.
- Submitting AI-generated content or output as one's own work in a context where such assistance has not been approved or acknowledged.

### **Contract Cheating**

Contract cheating is defined as: The use of a third party or source—including a person, company, website, or generative artificial intelligence tool—to complete academic work (e.g., labs, exam papers, quizzes, homework assignments, sketches, graphic design, programming, etc.), or facilitating the use of such services, for which a student then submits the work for credit. This applies whether the assistance is paid or unpaid and includes unauthorized outsourcing of any portion of assigned work.

Examples include but are not limited to the following:

- Unauthorized selling of a student's papers, study materials, or exams, or the professor's or university's teaching materials or exams.
- Paying someone to complete or copy answers for an exam, homework, project, or assignment.
- Utilizing or accessing online platforms (e.g., Chegg, StackOverflow, Discourse) to obtain or distribute course content or answers without permission.
- Taking an exam for someone else or having someone take an exam for you.
- Asking someone (a friend, family member, partner, classmate, etc.) to complete any portion or all of an assignment or paper on your behalf.
- Submission of purchased or pre-written term papers, lab reports, or projects completed by others.
- Using artificial intelligence tools (such as ChatGPT or code generators) to produce written content, solve problems, generate designs, or write code for any portion of an

assignment or exam, and submitting the output as your own work without the explicit permission of the instructor.

- Intentionally or knowingly helping or attempting to help another person commit an act of academic dishonesty.

### **Fabrication or Falsification**

Fabrication/Falsification is defined as the intentional and unauthorized falsification, alteration, reporting, or invention of any information, data, or citation in any academic exercise.

Examples include but are not limited to the following:

- Artificially creating data instead of conducting actual experiments; using AI tools to simulate experimental outcomes or fabricate research results; omitting required information or manipulating charts, graphs, or diagrams to misrepresent findings; falsifying code outputs, debug logs, or performance metrics.
- Citing nonexistent or unverifiable works, including AI-generated bibliographic entries; using AI to fabricate interview transcripts, survey responses, or scholarly articles without proper verification or attribution; altering or enhancing original sources (e.g., historical texts or artifacts) using AI in a way that distorts context or meaning.
- Impersonating another individual to complete academic work; using another person's login credentials; submitting falsified attendance or participation records; making unauthorized changes to assignments or exams after grading.
- Presenting AI-generated visual, written, or creative content as original work without disclosure or attribution.

### **Plagiarism**

Plagiarism is defined as the use or attempted use of written, oral, visual, or graphic work created by another person, source, or tool—including artificial intelligence—without proper acknowledgment. It includes presenting someone else's language, ideas, code, media, or structure as one's own in any academic exercise. Plagiarism involves both the unauthorized use of content and the misrepresentation of its origin.

**Self-Plagiarism** refers to the reuse of one's own previously submitted or published work without citation or instructor permission, including assignments, essays, lab reports, or creative work.

Examples include but are not limited to the following:

- Copying from a source without quotations or proper citation.
- Paraphrasing or altering words or phrases from a source without acknowledging the original author.
- Submitting ideas, arguments, or structures taken from another source, human or AI-generated, without proper attribution.
- Having another person write, edit, or significantly revise a paper or project.

- Submitting writing or code produced entirely or partially by an AI tool without disclosing its use and citing it as required.
- Using AI to summarize, paraphrase, or translate content and submitting it as original work without acknowledging the AI's role.
- Patchwriting, replacing key terms while maintaining the source's sentence structure or flow without citation.
- Submitting AI-generated images, graphs, or diagrams as one's own original work without attribution.
- Recycling assignments from previous courses or semesters and submitting them for new credit without citation or permission.
- Including AI-generated bibliographic entries, quotations, or fictitious references without verifying their accuracy or existence.
- Using visual or design AI tools to create artwork or graphic elements for a course project without disclosure and proper credit.

**Note:** Use of generative AI tools in any part of an assignment must follow the instructor's guidance. Even if used for support (e.g., outlining, code suggestions, idea generation), students must disclose the tool, its function, and extent of its contribution. Failure to do so may constitute plagiarism or another form of academic misconduct.

### **Unauthorized Collaboration**

Unauthorized collaboration is defined as working with others, such as classmates, friends, family members, or online contributors, on academic work intended to be completed individually, without the explicit permission of the instructor. This includes in-class or take-home exams, quizzes, essays, lab reports, programming assignments, or homework. Any contribution to or receipt of help on work that is submitted as one's own independent effort may constitute academic misconduct. All students involved in unauthorized collaboration may be held responsible.

Examples include but are not limited to the following:

- Sharing work or answers with another student without the permission of the professor.
- Working together with another student on a take home exam, final exam or project without the instructor's approval.
- Submitting homework identical to that of another student.
- Sharing code with another student for example in Computer Science and submitting work while logged into site for the course as the other student.
- Submitting programs or codes that were too similar to those of another student to have been accomplished without unauthorized collaboration on the assignments.

## **Section 3. Reporting, Investigation, and Adjudication Process**

Faculty members must refer any allegations of Academic Dishonesty to the Office of the Dean of Students. If a student reports a suspected violation by another student to an instructor,, the

instructor is obligated to report the matter to ODOS without delay. In addition, any member of the NJIT community may report suspected academic dishonesty directly to the Office of the Dean of Students. The ODOS or their designee will review the matter to determine whether a violation is likely to have occurred. Information regarding the conduct process can be found in Article 6 of this document.

## Section 4. Course Failure: XF Sanction System

1. A student who fails a course due to an egregious act of academic misconduct for a first time offense or for a second case due to academic integrity violations will be assigned a grade of "XF" in that course and placed on probation for a period to be determined by the sanctioning authority. The "XF" will be treated in the same way as an "F" for the purposes of Grade Point Average, course repeatability, and determination of academic standing.
2. The student may petition the Office of the Dean of Students to remove the "X" portion of the grade once the probationary period has passed and the following conditions are satisfied.
  - a. Successful completion of all assigned sanctions.
  - b. Twelve months have passed since the grade of "XF" was imposed
  - c. The student has not been found responsible for another act of academic dishonesty or similar offense.
3. Notation on the student's transcript shall read, "Failure due to Academic Dishonesty."
4. Students with the "XF" designation will be prohibited from officially representing the university, holding office in a student organization or representative body, and may be relieved from student employment at NJIT.
5. Students receiving more than one "XF" grade may be expelled from the university.

## Section 5. Violation Levels and Sanctions

Academic integrity violations are classified into four levels based on the severity, intent, and impact of the conduct. While this system offers guidance to promote fairness and consistency, it is not exhaustive. The Office of the Dean of Students maintains discretion to determine the appropriate level and sanction(s) based on the totality of circumstances.

Students with more academic experience are expected to demonstrate a stronger understanding of academic integrity. For that reason, the same type of violation may lead to more serious consequences for a graduate student than for a first-year undergraduate.

Sanctions for a given violation may be imposed differently based on any applicable mitigating or escalating factors found within the adjudication process, and exist in three primary categories: administrative, academic, and educational. Examples of sanctions under these categories include, but are not limited to:

- **Administrative Sanctions:** Administrative sanctions do not require any action on the part of the student (or student organization).
  - Warning/Reprimands
  - Conduct Probation
  - University Standing At Risk (USAR)
  - Suspension
  - Permanent Expulsion
  - Bar from Re-Admission
  - Revocation of degree and withdrawal of diploma<sup>1</sup>
  
- **Academic Sanctions:** Academic sanctions impact a student's grades or academic credit. They are issued in coordination with the instructor or academic department.
  - Resubmit Academic Assignment
  - Grade Reduction on Assignment
  - Grade Reduction in Course
  - Failing Grade on Assignment
  - Failing Grade in Course
  - XF Grade in Course
  
- **Educational Sanctions:** Educational sanctions are intended to help students better understand academic integrity and reflect on their decisions. They are learning-based and may be assigned alongside administrative and/or academic sanctions.
  - Academic Integrity Reflection Paper
  - Educational Modules (e.g., online self-paced learning)
  - Academic Integrity Workshop or Seminar
  - Action Plan or Behavior Agreement
  - Suspension Re-Entry Program (for students returning after suspension)
  - Referrals to Academic Advisors or other Support Services

### **Level 1: Minor Academic Misconduct**

These violations encompass minor assignments, which are defined as assignments that equal no more than 15% of the credit awarded for the course. Typically, the violations occur as a result of ignorance, inexperience, or misunderstanding.

Sanctions may include, but are not limited to:

- Administrative: Warning, Written Reprimand
- Academic: Reduced or Failing Grade on the Assignment
- Educational: Reflection Paper, Educational Module

### **Level 2: Negligent or Intentional Misconduct**

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<sup>1</sup> Degree revocation is only applicable in cases where a student has already graduated and a significant academic integrity violation is discovered or substantiated after the conferral of the degree. This sanction is reserved for egregious violations that, if known at the time, would have rendered the student ineligible for graduation.

These are violations where the action(s) demonstrate negligence or intentional dishonesty. Incidents can be categorized as a Level Two violation as a result of recidivism, but do not yet indicate a pattern of severe misconduct.

Sanctions may include, but are not limited to:

- Administrative: Written Reprimand, Conduct Probation
- Academic: Failing Grade on the Assignment, Reduced or Failing Grade for the Course
- Educational: Reflection Paper or Research Assignment, Educational Module

### **Level 3: Severe or Repeated Misconduct**

These are serious violations that generally involve advanced planning or indicate a pattern of severe misconduct. Similarly, incidents can be categorized as a Level Three violation as a result of recidivism.

Sanctions may include, but are not limited to:

- Administrative: Conduct Probation, USAR, Suspension
- Academic: Failure in Course, XF Grade
- Educational: Educational Workshops, Reflection Paper or Research Assignment

### **Level 4: Egregious or Repeated Violations**

These are the most egregious and flagrant violations that are a result of repeated violations despite prior sanctions, entail comprehensive advanced planning, or actions that compromise the integrity of the institution.

Sanctions may include, but are not limited to:

- Administrative: Suspension, Expulsion, Degree Revocation, Bar Readmission
- Academic: XF Grade (non-removable)
- Educational: Suspension Reentry Program