

14.0 STATEMENT CONCERNING CONDUCT, RESPONSIBILITY AND DUE PROCESS

The following rules and procedures have been promulgated by members of the Ramapo College community in the interest of maintaining order on the campus and guaranteeing the broadest range of freedom to each member of the community. These rules reasonably limit some activities and proscribe certain behavior which is harmful to the orderly operation of the institution and the pursuit of its goals. Each member of the community shares a common interest in personally upholding these rules and regulations and participating in their enforcement.

1. General Application of Rules

The rules included herein shall govern the conduct of students, faculty and other staff, vendors, invitees, and all other persons, whether or not their presence is authorized, upon the Ramapo College campus and also upon or with respect to any other premises or property, under the control of Ramapo College, used in its teaching, research, administrative, service, cultural, recreational, athletic, and other programs and activities.

2. Freedom of Speech and Assembly

No student, faculty, or other staff member or visitor shall be subject to any limitation or penalty for the expression of his views or for having assembled with others for such purpose. Peaceful picketing and orderly demonstrations in public areas of ground and building will not be interfered with. Those involved in picketing and demonstrations may not, however, engage in conduct in violation of the provisions of the following sections. The College has an obligation to apply its rules equally to all persons. This does not mean that a college cannot prosecute some offenders because other offenders have not been identified.

3. Proscribed Conduct

No person, either singly or in concert with others, shall:

- a. Employ force or violence or the threat of force or violence against persons or property - - public or private,
- b. Use or possess weapons or any material dangerous or detrimental to public safety,
- c. Physically occupy a building or office or other college-related facility for the purpose of, or with the result of, hindering others from its assigned use,
- d. Physically block doorways, corridors, stairways, elevators, reception areas, driveways and roadways, walks, parking areas or congregate so as to disrupt normal use of college or private facilities or property,
- e. Interfere with classes, hearings, or other college activities by harassing or disruptive tactics - - violent or nonviolent,
- f. Fail to comply with the directives of college authorities or their designees in the discharge of their assigned duties in relation to any herein-mentioned actions or situations,

- g. Refuse to produce satisfactory identification when requested by lawful authority.

4. In addition to the above-listed proscriptions, the following shall also apply:

a. Alcoholic Beverages

The unauthorized or illegal use of alcoholic beverages on the Ramapo College campus or any unit thereof is prohibited.

b. Drugs

The use, possession, sale or being under the influence of illegal narcotics, chemicals, psychedelic drugs, and other dangerous or illegal drugs or substances on Ramapo College premises is strictly prohibited.

c. Gambling

Illegal gambling on campus is prohibited.

d. Theft

The College authorities will take disciplinary action against persons found to have committed acts of thievery on campus and will cooperate with duly authorized officials in the investigation and prosecution of persons committing major acts of theft.

e. Other Illegal Acts

All persons are advised that local, county, State, and Federal enforcement agencies have jurisdiction on the College campus and that the College authorities will cooperate with these agencies to uphold the law.

Persons adjudged guilty of violating these prohibitions will be subject to all applicable civil and criminal penalties. College-connected persons will also be subject to College disciplinary action, which may include suspension or dismissal.

5. Enforcement Program

The President shall be responsible for the enforcement of these rules, and he/she shall designate other administrative officers to take action in accordance with these rules when required or appropriate.

It is not intended by any provision herein to curtail the right of students, faculty, or staff to be heard upon any matter affecting them in their relations with the institution. In the case of any apparent violation of these rules by such persons which does not pose any immediate threat of injury to person or property, the President or his/her designee must make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so such persons shall be warned of the consequences of persistence in the prohibited conduct.

6. Procedures

A faculty member accused of violations of College regulations shall be accorded a hearing in accordance with the procedures adopted by the College.

7. Penalties

A person who is adjudged to have violated any applicable rule of the College shall if he/she is a faculty member having a term or continuing appointment, be guilty of misconduct and be subject to dismissal or termination of his/her employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

8. The Concept of Double Jeopardy

It should be noted that the College adjudicatory system is not a court of law and should not attempt to operate in place of civil authority. In this respect, a portion of a report by the American Bar Association is appropriate.

The Commission elsewhere in this Report records its view that university rules may appropriately overlap certain State and Federal statutes, and that the concept of double jeopardy does not limit the scope of a university's rules. Thus, a student who disrupts a classroom in a manner that subjects him to a general statute applicable to assault and battery may also appropriately be subject to university disciplinary processes as well. Conversely, the fact that certain student conduct is not necessarily subject to any State or Federal statute does not make it inappropriate for a college to forbid such conduct ... the relation of college rules to general laws is therefore largely coincidental.

9. Emergency Procedures

When actions of individuals constitute a clear and present danger and such actions do not cease after warning by authorized personnel, the President or his/her designee may cause the ejection of the violator from any premises which he/she occupies in such violation and shall initiate disciplinary action as herein provided.

The President or his/her designee may apply to the public authorities for any aid which he/she deems necessary, and he/she may request the Attorney General of the State of New Jersey to apply to any court of appropriate jurisdiction for an injunction to restrain those involved in the violation or threatened violation of these rules.