

*The materials below consist of regulations of the State University of New York Board of Trustees. However, it is not the Official Compilation of the Codes, Rules, and Regulations of the State of New York. Readers are advised to refer to the Official Compilation ( 8 NYCRR Part et seq )in case of questions.*

## **PART 500**

### **GUIDELINES ESTABLISHED BY THE BOARD OF TRUSTEES**

Sec.

- 500.1 Policy
- 500.2 Standards

#### **§ 500.1 Policy.**

(a) The State-operated institutions of State University are located at diverse campuses throughout the State which differ in size and character.

(b) The trustees of State University recognize the need for local participation, flexibility, and responsibility at the various campuses with respect to the establishment of regulations governing student conduct and behavior.

(c) The trustees recognize that among the goals to be pursued by the State University is the encouragement of the independence, maturity and ethical sensitivity of the student, and that this can best be achieved where the educational program is complemented by an appropriate pattern of student governance which respects freedom of inquiry and expression and is administered in accordance with due process.

(d) Section 356 of the Education Law recognizes the need for local participation on the diverse campuses by establishing councils for each State- operated institution, with power to make regulations governing the conduct and behavior of students.

#### **§ 500.2 Standards.**

The several councils of the State-operated institutions of higher learning of the State University of New York shall promulgate or review and ratify regulations governing the conduct and behavior of students, subject to general guidelines established by the chancellor, and in accordance with law and such other rules or policies as the trustees may from time to time establish; such regulations to be published and made available to the whole academic community of that campus and shall be given full force and effect as rules and regulations of the State University applicable to that campus. The chancellor of the State University of New York shall, from time to time, cause to be reviewed the regulations established by the councils for consistency with rules and policies of the State University trustees and shall report thereon to the board of trustees at such time and in such manner as it shall direct.

(a) The manner in which regulations are developed. In order to encourage, maintain and assure adequate communication with and participation by the administration, faculty and students at the respective campuses, the council shall act after consultation with the chief administrative head of its campus and with representatives of faculty and students in promulgating or in reviewing and ratifying regulations on student conduct. In the regulations, the council may confer upon student groups, faculty committees, administrative officers, or combinations thereof appropriate responsibilities concerning student conduct and behavior. Authority for the administration of regulations at a campus shall rest with the campuses' chief administrative officer.

(b) The recognition of the rights and responsibilities of students. The regulations shall recognize that students have within the law, the right of free expression and advocacy and that the State University seeks to encourage and preserve freedom of expression and inquiry within the entire University. The regulations shall also recognize the obligation of each student to conduct himself lawfully, maturely and responsibly and shall take into account the responsibility of the University to maintain standards of student conduct essential to the orderly conduct of the University's function as an educational institution. The ways in which students or student groups may use the name of the University or identify their association with it shall also be provided for in the regulations.

(c) The need for due process. Where regulations govern student disciplinary proceedings, they should reflect the basic concepts of procedural fairness and should make certain that no student shall be expelled or suffer other major disciplinary action as defined by the council for any offense, other than failure to meet required academic

standing, without being first given appropriate advance notice of the charges against him and a hearing before an impartial body or officer as established by the council or chief administrative officer at such campus. While a formal judicial hearing is not required, the hearing should be of such nature as to give the hearing body or officer, as the case may be, full opportunity to hear both sides of the issue in considerable detail. The student may waive in writing the requirements of a hearing.