



St. Peter's Hospital College of Nursing

ST PETER'S HEALTH PARTNERS

CODE OF CONDUCT

The St. Peter's Hospital College of Nursing (SPHCON) is committed to promoting the maintenance of public order and to provide a program for the enforcement thereof.

Regulations and policies governing activities and conduct on the school's campus, clinical sites, and at school-sponsored activities exist to maintain an environment that supports academic and personal growth for all students in the school.

The school requires student, visitors, and guests to adhere to the standards of conduct set forth in the catalog and this *Student Handbook*. Violation is grounds for sanction.

Students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in a disturbance, interferes with the rights of others, damages property, brings the name of the school into disrepute, or is individually or as a member of a group involved in unacceptable social behavior on or off campus shall be subject to disciplinary action.

- I. This policy shall govern the conduct of students, faculty and other staff as well as visitors and other licensees and guests on such campus property.
- II. Professional conduct is exhibited in behaviors which reflect personal accountability, values, integrity, responsibility and ethical practices. Professional behaviors include:
 - a. Adhering to the ethical and legal tenets of nursing and educational practices.
 - b. Maintaining confidentiality and adhering to the tenets of HIPAA and FERPA.
 - c. Maintaining boundaries in the nurse/patient relationship or maintaining boundaries in the faculty/student relationship or staff/student relationship.
 - d. Complying with school and organization policies.
 - e. Using appropriate language.
 - f. Adhering to established dress code.
 - g. Refraining from behaviors which are counterproductive or injurious to others such as gossip, stereotyping, and bullying.

III. The following acts are unacceptable and prohibited on the property of the schools:

A violation of School policy occurs when there is evidence of a student having committed actual misconduct, attempting to commit misconduct but not completing the violation (for example, offering to sell illegal substances to an individual who does not buy them or trying to steal an item but stopping or being stopped before removing the item from its location), assisting or convincing another person to commit misconduct, and misconduct or attempted misconduct by a student's guest. Any student found to have committed misconduct including, but not limited to, the following, is subject to the disciplinary sanctions set forth in this document or other SHSON policies.

1. Acts of dishonesty, including, but not limited to, the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty.
 - b. Furnishing false information to any School official, faculty member or office.
 - c. Forgery, alteration, or misuse of any School recognized student organization's name, emblem, symbols, facilities, or property.
 - d. Tampering with the election of any School recognized student organization.
 - e. Computer theft, unauthorized use of computers or accounts, or allowing others access to an account.
 - f. Illegal or improper use of the School's phone system.
 - g. Forgery, alteration, or misuse of any School document.
2. Disruption or obstruction of teaching, learning, research, administration, disciplinary proceedings, or other SHSON activities, including its public-service functions on or off campus, or other authorized non-school activities, when the act occurs on SHSON premises.
3. Committing a sexual offense as defined in SHSON's Sexual Offense Policies & Procedures for Students and Employees, available at <http://www.sphp.com/campus-safety#shsn>.
 - a. The term "sexual offense" includes nonconsensual sexual activity, which occurs when sexual activity is perpetrated against a victim without his or her "affirmative consent."
 - b. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
 - c. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
 - d. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - e. Consent may be initially given but withdrawn at any time.

- f. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
 - g. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
 - h. When consent is withdrawn or can no longer be given, sexual activity must stop.
4. Verbal abuse of any person.
 5. Harassment, whether verbal, written, or otherwise, including, but not limited to, sexual and other harassment.
 6. Actual or threatened conduct that directly or indirectly threatens, endangers, or interferes with the health or safety of any person, or which adversely affects the SPHCON community and/or the pursuit of its objectives.
 7. Attempted or actual theft of and/or damage to property or services of SPHCON or any other person or entity.
 8. Actual or threatened physical violence, intimidation, or coercion, and other forms of physical abuse.
 9. Hazing, defined as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a person or persons, or involves the forced consumption of liquor, drugs, or other substances, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is also considered misconduct.
 10. Failure to comply with directions of any SPHCON officials, St. Peter's Hospital Safety Officers, Maria College Safety Officers, or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
 11. Unauthorized possession, duplication, or use of keys or electronic access cards to any of r St. Peter's Hospital College of Nursing premises or unauthorized entry to, or use of, SPHCON or St. Peter's Hospital or Maria College premises or any other entity.
 12. Violation of SPHCON or St. Peter's Health Partner's (SPHP) policies, rules or regulations, published in hard copy or available electronically on SHSON's learning management portal (MESA) or on the SPHP intranet including, but not limited to, alcohol and drug policies, tobacco free policy, selling and soliciting policy, parking regulations, library regulations, technology acceptable use policy, and student life policies.
 13. Conduct that could be construed to be a violation of federal, state or local law.
 14. Use, possession, manufacture or distribution of marijuana, heroin, narcotics, illicit drugs or other controlled substances except as expressly permitted by law. This includes prescription drugs being used or possessed by an individual without a valid prescription for that drug.
 15. Use, possession, manufacture, illegal purchase or distribution of drug paraphernalia (such as, but not limited to, pipes, bongs, hookahs and scales), including, but not limited to, all items used for the purpose of preparing, injecting, ingesting, inhaling or otherwise using illegal drugs, or in the illicit use of legal drugs.

16. Use, possession, manufacture, illegal purchase or distribution of alcoholic beverages except as expressly permitted by the law and SPHCON or SPHP policies. Alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age. Being below 21 years of age and in the presence of alcohol is prohibited.
17. Conduct which demonstrates public intoxication or signs that indicate the use of alcohol, drugs or other harmful substances.
18. Possession of any firearm, pistol, revolver, rifle, shotgun, assault weapon, stun gun, explosive or incendiary device.
19. Possession of any dangerous instrument, toxic or poisonous substance or chemical other than for use in a supervised academic setting.
20. Any attempt to intentionally or recklessly start a fire or cause an explosion and/or contribute to an unauthorized fire.
21. Falsely reporting an emergency; such as falsely reporting a bomb, fire or other emergency in any building, structure or facility on School or Hospital premises or at any School or Hospital related function by activating a fire alarm or by any other means.
22. Participation in a campus demonstration which disrupts the normal operations of SPHCON or the Hospital and infringes on the rights of other members of the School or Hospital community; leading or inciting others to disrupt scheduled and/or normal activities within any campus or Hospital building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus or the Hospital campus.
23. Obstruction of the free flow of pedestrian or vehicular traffic on SPHCON or Hospital premises or at School or Hospital sponsored or supervised functions.
24. Conduct which is disorderly, lewd, indecent, or a breach of the peace (i.e. conduct which is disruptive, disturbing, or offensive to others); or aiding, assisting, or encouraging another person to breach the peace on SPHCON or Hospital premises or at functions sponsored by, or participated in by, SPHCON, members of the academic community or the Hospital.
25. Engaging in conduct which has the intent to harass, demean, annoy or alarm another person; including, but not limited to: initiating communication via mechanical or electronic means, social network communication, telephone, telegraph, mail, computer, electronic mail or other form of written or pictorial communication, texting, or by making a telephone call or calls whether or not a conversation ensues, with no purpose of legitimate conversation.
26. Unauthorized surveillance, including, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record of any person while on SPHCON or Hospital premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a place where there is a reasonable expectation of privacy.
27. Theft or other abuse of SHSON or SPHP computer or telephone systems or time, including but not limited to:
 - a. Unauthorized file access, to use, read, or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.

- c. Unauthorized use of another individual's identification and password or allowing another person use and/or access to one's SHSON or Hospital account identification or password.
- d. Use of computing or telephone facilities to interfere with the work of another student, faculty member or SHSON or SPHP employee or official.
- e. Use of computing or telephone facilities to send obscene, threatening, harassing, or abusive messages.
- f. Use of computing or telephone facilities to interfere with the normal operation of SPHCON or SPHP computing system.
- g. Use of computer or telephone facilities in any way which could be construed to be in violation of federal or state laws.
- h. Use of computer or telephone facilities in any way which could be construed as copyright infringement.
- i. Any violation of the SPHCON or SPHP Acceptable Use Policy.

28. Abuse of the student conduct system, including but not limited to:

- a. Failure to appear before an a Student Conduct Board or Appellate Board or School official if requested, or willful failure or refusal to cooperate as a witness, unless doing so would incriminate oneself; however, this provision does not apply to reporting individuals who choose not to participate in student conduct proceedings regarding Sexual Offenses that they report to SPHCON.
- b. Falsification, distortion, or misrepresentation of information before a Student Conduct Board or Appellate Board.
- c. Disruption or interference with the orderly conduct of a Student Conduct Code proceeding.
- d. Initiation of a Student Conduct Code proceeding knowingly without cause.
- e. Attempting to coerce an individual from proper participation in, or use of, the student conduct system.
- f. Attempting to influence the impartiality of a member of a Student Conduct Board or Appellate Board prior to, and/or during the course of, a Student Conduct Code proceeding.
- g. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Board or Appellate Board prior to, during, and/or after a Student Conduct Code Hearing.
- h. Failure to comply with the sanction(s) imposed under the Student Conduct Code.
- i. Influencing or attempting to influence another person to commit an abuse of the student conduct system.
- j. Institution of a Student Conduct Code proceeding in bad faith.

29. All gambling or betting activities, with the exception of small, private card or other games, which do not involve monetary bets or involve monetary bets of very small amounts.

30. Failing to engage in responsible social conduct that reflects credit upon the SHSON and SPHP community and to model good citizenship in any community.
 31. Acts of complicity: aiding, abetting, attempting, conspiring, hiring, willfully encouraging or being an accessory to any violation of SPHCON Code of Conduct.
 32. Smoking and the use of any tobacco product is strictly prohibited. SHSON is dedicated to providing a healthy, comfortable, and productive living and work environment for our faculty, staff, administrators, and students; and a healthy, comfortable, and safe environment for our visitors. The Tobacco Free Policy prohibits the use of any and all tobacco products at SPHCON facilities or property. For the purpose of this policy, tobacco is defined as any type of tobacco product, including, but not limited to, cigarettes (commercial, handmade or electronic), cigars, cigarettos, pipes, hookas, oral tobacco (spit and spitless, smokeless, chew, snuff), or any other smoking material or device. Furthermore, the smoking is prohibited by law on Hospital property.
 33. Items and substances used to dispense and ingest alcohol at a rapid manner such as, but not limited to, beer bong, funnels, Jell-O shots, etc. are prohibited. Drinking games and contests such as quarters, beer pong, altered board games etc. are also prohibited even if alcohol is not present. Paraphernalia related to excessive drinking is prohibited including, but not limited to, beer pong tables. The collection and displaying of empty alcohol containers is also not permitted.
 34. Fire extinguishers, alarm systems and conduit, detectors, sprinkler heads, strobes, devices, and exit signs shall not be tampered with or tested by unauthorized persons, nor should anything cover, be attached to, or hung from any piece of fire safety equipment. Students tampering with fire safety equipment are financially responsible for any charges assessed as a result of the tampering.
- IV. Students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in a disturbance, interferes with the rights of others, damages property, brings the name of the school into disrepute, or is individually or as a member of a group involved in unacceptable social behavior on or off campus shall be subject to disciplinary action.
 - V. Students have the right to be free from retaliation. Threats or other forms of intimidation or retribution against a student who files a complaint or grievance, reports a conduct violation, requests an administrative remedy, participates in an investigation, appears as a witness at an administrative conduct hearing, or opposes an unlawful act, discriminatory practice or policy, are prohibited and subject to School disciplinary procedures. Any student who feels that someone has subjected him or her to retaliation as a result of a report or participation in an investigation of a report should contact a Compliance Officer immediately.
 - VI. The penalties for violation of rules and regulations shall be as follows, depending on the seriousness of the offense, the offender's record of prior offenses, and such other nondiscriminatory factors as the College of Nursing and the parent organization reasonably shall deem relevant.
 - a. Ejection of a violator from such campus and property.
 - b. In the case of a student, faculty, or staff violator, suspension, expulsion, or other appropriate disciplinary action.
 - c. In the case of an organization which authorizes such conduct, rescission of permission for that organization to operate on campus property.
 - d. Such penalties shall be in addition to any penalty pursuant to the penal law or any other law to which a violator or organization may be subject.
 - VII. The health and safety of every student at the SPHCON is of utmost importance. SPHCON recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. [Institution] strongly encourages students to report domestic violence,

dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to [Institution's] officials or law enforcement will not be subject to [Institution's] code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

VIII. This policy shall be given to all enrolled students during orientation to the program and is reflected in the policies within the Student Handbook.

IX. Nothing contained in this policy is intended nor shall it be construed to limit or restrict freedom of speech or peaceful assembly.

X. STUDENTS' BILL OF RIGHTS

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution."