



## Cold Spring Harbor Laboratory

### Student Code of Conduct

#### 1) Introduction and Statement of Purpose

The following Policy is adopted in compliance with Section 6430 of the New York Education Law and shall be filed with the Commissioner of Education and the Board of Regents as required by statute. This Policy is subject to amendment and/or revision.

Cold Spring Harbor Laboratory (“CSHL” or “Laboratory”) is proud of its work and academic environment and strives to maintain a professional, collegial, and academic environment for employees, students, guests, and visitors, all of whom are expected to treat each other with courtesy, consideration, and professionalism. Being a member of the CSHL community is an opportunity, but it is also a privilege. By joining us, a student accepts the responsibility and the obligation to conduct themselves ethically, honestly, and with integrity in a civil and responsible manner in keeping with the highest values of CSHL as an educational institution. Remaining a member of the CSHL community requires, and is conditioned upon, each student continuously complying with the policies contained within this Student Conduct Policy (“Policy”) governing academic progress, social interactions, and personal behavior. At CSHL, we are accountable to each other, to the Laboratory, and to ourselves for personal and professional behavior and decisions. By this Policy, CSHL seeks to create a community of scholars that strives for academic excellence, while, at the same time, recognizing and emphasizing mutual respect and responsibility. All students are responsible for their own actions and all are expected to follow, uphold, and respect the policies set forth herein.

#### 2) Application of Rules

This Policy shall apply to all students at CSHL. The Laboratory reserves the right to investigate and resolve any report or incident where a student is alleged to have violated any of the policies set forth herein. This Policy applies to any and all properties owned and/or operated by CSHL. Any additional rules, adopted by the Laboratory, may be included in this policy. The Policy shall apply to all situations involving students affiliated with CSHL and shall govern the behavior of students upon the campus of CSHL and any property under the control of CSHL, including those used in teaching, as residences and for research, administrative, service, cultural, recreational, athletic, and other programs and activities. These policies shall also govern incidents by individuals associated with the Laboratory whose behavior manifests itself on the Internet or through other electronic means.

#### 3) Respect for Others

CSHL is a diverse community—in experience, background, socio-economic status, culture, age, race, politics, religion, ability, gender, and gender expression. The actions of community members should, at all times, show respect for each community member’s contributions. CSHL strives to establish and

maintain a culture of tolerance and respect. Principles of free speech and expression are paramount at CSHL. However, members of the community must, at all times, show respect for the rights and dignity of others, regardless of our differences.

#### **4) Compliance with Policy and Notice**

CSHL has adopted this Policy, in addition to other policies and procedures, to manage its research, education, business, and other operations. Some of these policies and procedures are proscribed by law and others designed to afford the Laboratory organized and coordinated operations. Members of the CSHL community are expected, and assumed, to have notice of this Policy and are expected to inform themselves of and comply with this Policy as well as the other policies of the Laboratory, each of which are accessible on CSHL's Human Resources webpage (<http://intranet.cshl.edu/administration/human-resources/cshl-policy-abstract>).

#### **5) Conflicts of Interest and Compliance with All Applicable Laws and Regulations**

In all of our dealings, members of the CSHL community should act with fairness, as well as the appearance of fairness, in mind. CSHL is sensitive to situations that could raise questions concerning the potential for, or perceptions of, conflicts of interest between personal interests and the interests of the Laboratory. We should be particularly mindful of circumstances and situations where a conflict exists between a community member's private interests and official responsibilities. CSHL views as equally damaging both conflicts of interest and the perception of a conflict of interest. All members of the CSHL community have a duty to be attentive to these conflicts and community members, who have a duty to report conflicts, must do so in good faith with the interests of the Laboratory's mission, research, and institutional integrity in mind.

The Laboratory exists in a heavily regulated environment. Compliance with applicable laws and regulations is essential to CSHL. Noncompliance carries with it the potential for severe, and potentially extreme, consequences for the Laboratory, monetarily and reputationally. This Policy demands rigorous compliance with all federal, New York state, and local laws and regulations that apply to the Laboratory's performance and responsibilities. All community members have an ongoing duty to remain informed about applicable legal obligations and, when doubt exists, contact a Laboratory representative for clarification.

#### **6) Compliance with Contractual and Grant Obligations**

CSHL is committed to its contractual and grant obligations to donors, government agencies, suppliers, and others. When contractual or grant obligations are difficult to interpret or apply, community members are instructed to consult with a Laboratory representative for clarification.

#### **7) Treatment of Laboratory Property and Funds**

CSHL community members are keepers of the Laboratory's reputation, and often find themselves as stewards of the Laboratory's property and funds. That stewardship comes with a responsibility to the Laboratory's contributors, including donors, organizations, and federal, state, and local governments. Therefore, at all times, CSHL community members should treat Laboratory property and funds with the utmost care and respect, expending the funds properly, ethically, and responsibly. Laboratory property is to be used for Laboratory purposes only. As a rule, wastefulness should be kept to a minimum or avoided all together.

#### **8) Computer Use Policy**

All use of Laboratory computers, computer networks, and ancillary communication equipment requires ethical behavior by all CSHL community members. Nothing in this policy should be construed as creating an expectation of privacy for any member of the CSHL community. Any information transmitted to, received from, or stored via the Laboratory's computers, computer networks, and ancillary communication equipment is considered the Laboratory's sole property, unless otherwise subjected to copyright protection. While respectful of community members' privacy concerns, the Laboratory reserves the right to restrict or deny the use of its computers and or network system in the event of a violation of Laboratory policies, federal, state, or local laws, or standards of conduct appropriate for a member of the CSHL community.

### **9) Academic Misconduct**

The following are considered Academic Misconduct and will be viewed as violations of this Policy and will be subject to discipline:

- a) Plagiarism, including any representation of another person's work or ideas as one's own in academic and/or educational submissions;
- b) Cheating, including any actual or attempted use or possession of resources prohibited by the instructor or those that a reasonable person would consider inappropriate under the circumstances for academic submissions, and/or any actual or attempted effort to assist another student in cheating;
- c) Submitting an academic work for more than one course without express permission;
- d) Fabrication, including any falsification or creation of data, research, or resources to support academic conclusions and/or submissions.

### **10) Violations of this Policy**

The following actions constitute violations of this Policy:

#### **a) Alcohol and Drugs**

- The CSHL community has a shared responsibility for promoting healthy behavior. The following actions are considered violations of the Policy:
  1. Use or possession of alcohol by individuals under the age of 21;
  2. Providing or distributing alcohol to individuals under the age of 21;
  3. Severe intoxication resulting in disruptive behaviors;
  4. Driving under the influence of alcohol or while intoxicated;
  5. Possession or use of illegal drugs or controlled substances, except as expressly permitted by all levels of legal authority and provided such use and possession is consistent therewith;
  6. Sale, manufacturing, or distribution of illegal drugs or controlled substances or drug paraphernalia;
  7. Driving under the influence of any illegal drug or controlled substance;
  8. Being in the presence of the use of illegal drugs or controlled substances on campus;
  9. Violations of other CSHL drug policies or federal, New York state, and local laws pertaining to illegal drugs and controlled substances.

#### **b) Destruction of Property**

- No member of the CSHL community shall willfully damage, deface, vandalize, or destroy property of the institution or any other property to which this Policy applies, nor shall any of the above remove or use such property without authorization.

**c) Discrimination and Harassment**

- In matters of admissions, employment, housing, services, or in the educational programs or activities that the Laboratory operates, CSHL does not discriminate or harass nor permit discrimination or harassment by any member of its community against any individual on the basis of the following: race, color, national origin, sex, gender, gender identity or expression, sexual orientation, marital status, disability, age, religion, creed, veteran status, genetic information, citizenship status, or any other factors prohibited by law.

**d) Firearms**

- No member of the CSHL community, other than security officials, shall possess upon any premises to which this Policy applies, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the Chief Operating Officer, whether or not a license to possess the same has been issued to such person.

**e) Endangering Self or Others**

- No member of the CSHL community shall commit an act of physical abuse of another person or act in a way that endangers, threatens, or is reasonably likely to harm the health, safety, or mental well-being of any such person, including oneself.

**f) Failure to Comply**

- No member of the CSHL community shall fail to comply with a reasonable request or instruction by a CSHL official or emergency personnel acting in an official capacity.

**g) Fire Safety**

- No member of the CSHL community shall commit the following: damaging or destroying property by fire or explosives, creating or maintaining a fire hazard, tampering with or misuse of emergency or fire safety equipment, smoking tobacco inside any CSHL facility, failing to immediately exit any CSHL facility when a fire alarm or other emergency notification has been made, and any violation of New York state or local fire and fire-related ordinances.

**h) Guests and Visitors**

- Knowingly allowing one's visitors or guests to violate this Policy, or failing to monitor the behavior of one's visitors or guests to assure adherence to this Policy, is a violation of this Policy.

**i) Hazing**

- No member of the CSHL community shall, whether on or off CSHL property, act, intentionally or unintentionally, to produce in another individual, mental, physical, or emotional discomfort; servitude; degradation; embarrassment; harassment; or ridicule for the purpose of initiation into, affiliation with, admission to, or as a condition for continued membership in a group, team, or other organization, regardless of an individual's willingness or consent to participate.

**j) Inappropriate Behavior**

- No member of the CSHL community shall engage in inappropriate, disorderly, or disruptive conduct that is unbecoming of a Laboratory member. Inappropriate behavior includes, but is not limited to:
  1. Yelling, cursing, or causing a disturbance;
  2. Participating in a demonstration or activity that disrupts a normal operation or function of the Laboratory;

3. Obstruction or disruption of teaching, research, administration, or other official Laboratory activities;
4. Leading or inciting others to disrupt scheduled and/or normal activities in the classroom or inside any campus building.

**k) Misrepresentation**

- No member of the CSHL community shall engage in acts of fraud, misrepresentation, or dishonesty.

**l) Sexual Harassment and Misconduct**

- No member of the CSHL community shall engage in violations of the Laboratory's *Policy for the Prevention of and Response to Sex Discrimination, Sexual Harassment, and Sexual Violence Against Students* incorporated herein, which includes the following:
  1. Gender-based discrimination;
  2. Sexual Harassment;
  3. Sexual Assault;
  4. Sexual Misconduct;
  5. Stalking;
  6. Dating and domestic violence.

**m) Theft**

- No member of the CSHL community shall commit a theft or the unauthorized use of the Laboratory's or another's property, including being in possession of stolen property.

**n) Unauthorized Access**

- No member of the CSHL community shall commit an unauthorized access or entry to, presence in, or use of Laboratory properties, physical and virtual, including, but not limited to: CSHL facilities, property, systems, or services and possession, duplication, distribution, or use of keys, access codes, access cards, or other means of entry or access to any CSHL property, premises, or location.

**o) Violations of Law**

- No student shall conduct him or herself in a manner that negatively impacts the CSHL community, including any such conduct in violation of federal, state, or municipal law. All students are expected to report to the Vice President, Human Resources any knowledge of illegal activity that concerns the Laboratory, its employees, students or affiliates.

## 11) Consequences of Violations

CSHL reserves the exclusive right to determine appropriate sanctions when violations of this Policy are committed. When determining appropriate sanctions, CSHL will consider the interests of the complainant, respondent, and the overall well-being of the Laboratory community. CSHL will consider the respondent's present and past disciplinary record, the nature and severity of the offense, the injury or harm resulting from the prohibited behavior, and any other relevant factors. The following is a non-exclusive list of sanctions that the Laboratory reserves the right to impose:

**a) Warning**

- Written notification that a violation of this Policy occurred and that any further responsible finding of misconduct may result in more severe disciplinary action.

**b) Probation**

- Written notification that indicates a serious and active response to a violation of this Policy for a designated period of time and includes the possibility of more severe sanctions.
- c) Loss of Privileges**
- Denial of the use of certain Laboratory facilities or the right to participate in CSHL activities, events, and/or programs.
- d) Restitution**
- A member of the CSHL community may be required to make a payment to an individual or the Laboratory related to misconduct for damage, destruction, defacement, theft, or unauthorized use of property.
- e) Relocation or Removal from Laboratory Housing**
- Relocation is the reassignment of a student from one living space to another, including the removal of an individual from all CSHL-operated housing;
- f) Contact Restrictions**
- CSHL reserves the right to prohibit all forms of communication between designated parties, direct or indirect, including in person, social media, text messaging, email, postal mail, and third-party communication.
- g) Educational Requirements and Referrals**
- CSHL reserves the right to impose counseling or substance assessments or other required educational sanctions.
- h) Suspension**
- Suspension is the separation of a student from CSHL for a specific period of time, during which the student may not participate in the Laboratory's academic or extracurricular activities.
- i) Expulsion**
- Expulsion is the permanent separation of a student from the Laboratory.

## **12) Procedures for Student Conduct Hearings**

Student conduct hearings are administrative procedures and, as a result, do not follow the specific steps, methods, or standards of proof or evidence used in civil or criminal courts. Any member of the Laboratory community may file an incident report alleging a violation of this Policy. The Associate Dean, or a designee, will determine if the allegations are covered by the Policy. Formal disciplinary action shall be instituted only after the Associate Dean, or a designee, has determined that such action is appropriate. A respondent shall be sent notice by the most effective method (including electronic mail) that includes the accusation and a copy of the incident report. An impartial disciplinary hearing shall be initiated by the Associate Dean, or a designee. The respondent shall have the opportunity to respond to the allegations during the disciplinary hearing. Following the discipline hearing, the Associate Dean, or a designee, will notify the student of any disciplinary action and the student's right of appeal. The respondent shall have the opportunity to appeal to the Associate Dean, or a designee, a disciplinary sanction where: 1) significant new information that was not available at the time of the hearing becomes available; 2) evidence that the Laboratory failed to follow its own procedures; or 3) the assigned sanctions are grossly disproportionate to the violation.

## **13) No Rights or Claims**

This Policy, and any other Laboratory policies, are not contracts of employment nor do they create rights or claims of any kind for members of the Laboratory community or expectations regarding employment at CSHL.