



# Behavioral Intervention and the Student Code of Conduct

A Guide for Faculty and Staff



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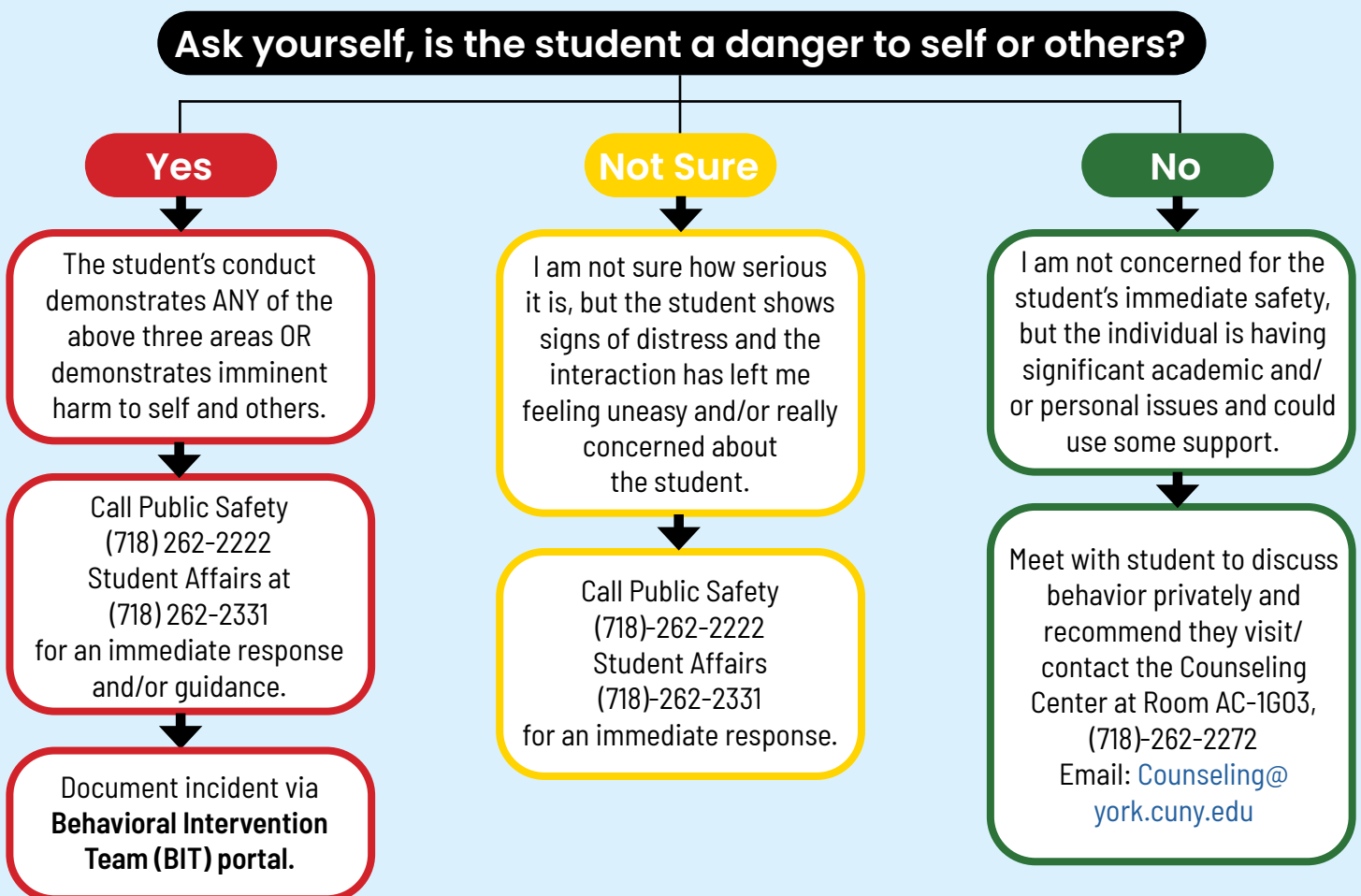
This guide is a work in progress— a collaboration between the Division of Student Affairs and Enrollment Management (SAEM) and the Division of Academic Affairs. It is being circulated to multiple campus stakeholder groups for education and feedback before the final version is published. The document is being developed in alignment with policies, procedure, and bylaws of York College and The City University of New York (CUNY).

## Opening Statement

York College of the City University of New York is a mission-driven academic community. For it to thrive, all persons must acknowledge the value and respect the dignity of themselves and all others in the community. It is not unusual for disagreements, frustrations, and conflicts to arise among communities. However, when the behavior associated with these phenomena disrupts, threatens, or violates the rights of others, corrective action is necessary. Employing the least invasive means to stabilize the immediate situation is the best practice. Taking steps to identify and address the root causes of the problematic behavior should follow. These guidelines are designed to help faculty and staff prevent, manage, and address disruptive student behavior, and identify campus resources to assist them in managing these encounters.

## Assisting Students in Distress: Quick Reference Chart

Follow the chart below to determine who to contact when faced with a distress or distressing student.



Access the link here: [The Behavioral Intervention Team \(BIT\) portal.](#)

## Maintenance of Public Order - Code of Conduct

<https://www.cuny.edu/about/administration/offices/ovsa/policies/rules-for-maintenance-of-public-order/>

The Student Process bylaws (Article XV) were adopted by the Board of Higher Education at its meeting held November 23, 1970. This action provided the means by which administration, faculty, and students at each college of the University may administer a system of student conduct and discipline designed to maintain campus order and protect the rights of members of the college community.

The following behaviors are considered violations of the Code of Conduct and are subject to disciplinary process and sanctions:

- 1 A member of the academic community shall not intentionally **obstruct and/or forcibly prevent others** from the exercise of their rights. Nor shall he interfere with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.
- 2 Individuals are liable for **failure to comply** with lawful directions issued by representatives of the University/college when they are acting in their official capacities. Members of the academic community are required to show their identification cards when requested to do so by an official of the college.
- 3 **Unauthorized occupancy** of University/college facilities or blocking access to or from such areas is prohibited. Permission from appropriate college authorities must be obtained for removal, relocation, and use of University/college equipment and/or supplies.
- 4 **Theft from, or damage** to University/college premises or property, or theft of or damage to property of any person on University/college premises is prohibited.
- 5 Each member of the academic community or an invited guest has the **right to advocate his position without having to fear abuse, physical, verbal, or otherwise**, from others supporting conflicting points of view. Members of the academic community and other persons on the college grounds shall not use language or take actions reasonably likely to provoke or encourage physical violence by demonstrators, those demonstrated against, or spectators.
- 6 Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the University/college, or whose presence on any such campus **obstructs and/or forcibly prevents** others from the exercise of the rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institution's instructional, personal, administrative, recreational, and community services.

## Maintenance of Public Order - Code of Conduct (continued)

7 **Disorderly or indecent conduct** on University/college-owned or controlled property is prohibited.

8 No individual shall have in his **possession a rifle, shotgun, or firearm** or knowingly have in his possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/college without the written authorization of such educational institution. Nor shall any individual have in his possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of the University/college.

9 Any action or situation which **recklessly or intentionally endangers mental or physical health** or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

10 The **unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or other controlled substances** by University students or employees on University/college premises, or as part of any University/college activities is prohibited. Employees of the University must also notify the College Personnel Director of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction.

11 The **unlawful possession, use, or distribution of alcohol** by students or employees on University/college premises or as part of any University/college activities is prohibited.

### Policy on Sexual Misconduct

This Policy prohibits Sexual Misconduct at The City University of New York ("CUNY"). In addition to defining what constitutes Sexual Misconduct and explaining the resources available to those affected by Sexual Misconduct, this Policy details CUNY's procedures for investigating and adjudicating allegations of Sexual Misconduct.

# Assisting Students in Distress: Response Protocol

If someone you know may be experiencing mental health issues, the Counseling Center is here to help. For details on when to approach and refer a student, please consult our four-step referral process below. If you're still unsure if it's appropriate to make a referral, call the Counseling Center at 718-262-2272 to share your observations and concerns.

## Emergency?

If a student is a danger to themselves or others, call Public Safety (718) 262-2222 and Student Development on (718) 262-2331 for an immediate response.

## Four-Step Referral Process

### STEP 1: Identify

Recognize the warning signs. A student may exhibit behaviors or use language that signals they may be experiencing personal, social or psychological distress (e.g., withdrawal, disturbing speech/communication, or changes in mood or behavior.)

### STEP 2: Listen

Focus on what they're saying and express concern. Speak to the student privately. Don't be afraid to ask, "How are you feeling?" Explain what you have heard or observed that makes you concerned about the student. "I'm concerned about..." Allow the student to talk and help them elaborate. Pick up on cues from their body language. Listen respectfully without judgment. Be careful not to overact with too much emotion or panic. Validate the difficult circumstances or feelings expressed and convey your concern for the student's well-being.

### STEP 3: Refer

Recommend the student speak to a counselor in the Counseling Center. Explain how a professional may be able to assist them or help them navigate their challenge. Emphasize that the services are free and confidential. Normalize the process and involve the student in the referral. Make the initial contact by calling the Counseling Center at 718-262-2272. If the student is reluctant to accept a referral or you are uncomfortable suggesting services, call the Counseling Center and share your observations and concerns. A plan can be arranged to reach the students and to assess their emotional state.

### STEP 4: Follow Up

Communicate your continued concern and support by checking in with the student to determine whether they followed up on your recommendation. Continue to inquire periodically about how they are doing. Please remember that confidentiality limits the Counseling Center from providing information about a student without their written consent.

## How Can Disruptive Behavior be Prevented or Managed?

- 1 Model the behavior you expect of students.
- 2 Include the Maintenance of Public Order/Code of Conduct on each course syllabus. Your syllabus is your contract with the student related to academic requirements, as well as required behaviors and conduct in the course. When you are reviewing the syllabus at the beginning of the semester, take time to review the Code of Conduct along with other requirements for the course. Students new to the college environment may not be familiar with working with other students, faculty or staff who may be different from themselves. This gives you the opportunity to set the tone of the classroom and conduct for the semester.
- 3 Clearly explain what consequences will occur if students violate your course contract.
- 4 Confer with colleagues on ways they prevent or respond to disruptive behavior.
- 5 If a student displays inappropriate behavior in the classroom, the faculty should pull the student aside and have a conversation about their concerns and expectations of the course. This is a suitable time to go over the behavior statements in your syllabus. It is important to be firm but compassionate.
- 6 If disruptive behavior continues, discuss consequences of their behavior including possible disciplinary action. If there are mental health concerns observed or stated, connect with the Counseling Center for recommendations.
- 7 If behavior persists and/or worsens, consult with Department Chairperson or Supervisor to determine next steps including submitting a report via [The Behavioral Intervention Team \(BIT\) portal](#).
- 8 The Behavioral Intervention Team will assess the situation and make recommendations for action. Such actions may range from a counseling or academic support referral to removal of the student from the college community by means of the appropriate University process. When appropriate, BIT will refer students, not deemed to be high-risk, to campus resources and services that will enable them to remain in good standing at York.

## What to Do When there is a Condition/High-Risk of Harm

1. **Do not meet alone with a potentially angry or hostile individual.** Always set up an appointment. This gives you the opportunity to develop a strategy.
2. Let a colleague know you will be meeting with a potentially violent student and have that colleague ready to assist as well as someone from Public Safety nearby.
3. Keep your door open.
4. Position yourself so you can exit the room quickly.
5. End the meeting if something does not feel right.
6. Avoid body language that appears challenging.
7. Establish the student's goal for the meeting. Establish your goal for the meeting. Negotiate a common goal and keep the student focused on the agreed upon goal.
8. Listen with intent. Pay careful attention to what is said. Let the student know you will help within your ability to reasonably do so.
9. Ask questions – it helps to gain control and understand the situation.
10. Neither agree with distorted statements nor attempt to argue. Do not be defensive.
11. If the student becomes overly emotional or angry and does not calm down; tell him/her/them that you will not continue unless he/she/they calm down. End the meeting if the behavior continues.
12. Never agree to leave or meet off campus or in an unmonitored location.

## The Code of Conduct and Academic Integrity

Within the organizational structure of the College, behavioral matters and the code of conduct are overseen by the Division of Student Affairs and Enrollment Management, whereas matters of academic integrity are overseen by the Division of Academic Affairs. There are separate policies and procedures guiding responses to each. A suspected or confirmed violation of the code of conduct is not necessarily an academic integrity issue. Similarly, a suspected or confirmed violation of the academic integrity policy is not necessarily a code of conduct issue.

A [separate website](#) devoted to academic integrity contains links to appropriate policies and procedures, the integrity officer's contact information, and a [forthcoming] faculty guide to academic integrity.

While conceptually and structurally discrete, in practice behavioral and integrity concerns may present concurrently in some situations. As such, careful coordination between the two College Divisions is essential for promoting peaceful and professional conduct as well as academic integrity. In such situations, the integrity officer and the dean of students will collaborate with the faculty member and the student to propose a plan of engagement which addresses both sets of concerns consistent with the requirements of applicable policies and procedures.



## Examples of Classroom Behavior Statements to Share During First Day

1 Classroom attendance is a necessary part of this course. You are allowed no more than x number of unexcused absences

2 Classroom participation is a part of your grade in this course. To participate you must attend class having prepared the materials for the day. Questions and comments must be relevant to the topic at hand.

3 You are expected to be on time. Class starts promptly at X. You should be in your seat and ready to begin class at this time. Class ends at Y. Packing up your things early is disruptive to others around you and to myself.

4 Raise your hand to be recognized.

5 Meaningful and constructive dialogue is encouraged in this class and requires a degree of mutual respect, willingness to listen, and tolerance of opposing points of view. Respect for individual differences and alternative viewpoints will always be maintained in this class. One's words and use of language should be temperate and within acceptable bounds of civility and decency.

6 Classroom discussions should be respectful to everyone and relevant to the topic we are discussing. Everyone is entitled to their opinion. Classroom discussion is meant to allow us to hear a variety of viewpoints. This can only happen if we respect each other and our differences. Any discussion from class that continues on any listserv or class discussion list, should adhere to these same rules and expectations. Since every student is entitled to full participation in class without interruption, all students are expected to come to class prepared and on time and remain for the full class period. All electronic devices that generate sound and/or pictures must be turned off during class. Also, vaping in class will not be permitted.

7 Disruptive behaviors, including excessive talking, arriving late to class, sleeping, reading newspapers, using unauthorized electronic devices during class are not permitted. Repetitive and seriously disruptive behavior, e.g., fighting, using profanity, personal or physical threats or insults, damaging property, may result in your removal from class in accordance with policies and procedures outlined in the Code of Conduct and in consultation with the Office of the Vice President of Student Affairs and Enrollment Management.

## Statement for Online Classrooms

**\*NOTE:** According to the [CUNY Policy on Acceptable Use of Computer Resources \(2007\)](#), section IV, number 5, - students are held responsible for **False Identity and Harassment:** Users may not employ a false identity, mask the identity of an account or computer, or use CUNY Computer Resources to engage in abuse of others, such as sending harassing, obscene, threatening, abusive, deceptive, or anonymous messages within or outside CUNY.

## Support for Faculty, Staff, And Peers Working with a Distressed Student

See Something, Say Something, Do Something

### See

#### Observe the Behavior

Since you may have frequent and/ or prolonged contact with a student, you are in a unique position to see a noticeable change or distress in a student. Become familiar with symptoms of distress and attend to their occurrence.

#### Trust Your Instincts

If you feel uneasy about a student, consult with your supervisor, department chair, Public Safety, and/or the Counseling Center, etc. Early intervention can prevent more serious problems from developing.

#### Initiate Contact (Be Proactive)

Don't ignore strange, inappropriate, or unusual behavior. Talk to the student privately, indicating concern in a direct or casual way? Can you be direct and matter-of-fact? (If addressing disruptive behavior, please see next page.)

#### Listen Carefully

Allow the student time and latitude to express their thoughts and feelings. Don't minimize their concerns. Students may struggle to articulate the cause of their distress. Do not be afraid to directly ask if the student is thinking of suicide or taking their life. And refrain from expressing personal or negative opinions.

### Say

#### Know Your Limits

Students in distress often require a great deal of time and energy. If you believe a student's problems are more than you can handle, trust your instincts. You can connect the student to the large network of campus support that is available to them.

#### Clarify Your Role

When supporting a student, be frank with the student about your expertise and role.

# Support for Faculty, Staff, And Peers Working with a Distressed Student (continued)

## Say

Frame any decision to seek and accept help as an intelligent and wise choice. Emphasize that asking for help is a sign of strength. Respect the student's privacy and autonomy without false promises of confidentiality.

### Offer Support and Assistance

Make reflective comments — repeat the student's statements back to them to clarify their point of view and demonstrate understanding.

- Meet and talk privately to minimize embarrassment and defensiveness.
- Don't minimize student's distress.
- Don't challenge or argue.
- Don't assume a student's motivation for behavior.
- Do keep your voice low and speak slowly.
- Do convey your concern and your desire for their well-being.
- Clearly express your concerns, focusing on the specific/observable behavior(s), in non-disparaging terms.
- Offer supportive alternatives, resources, and referrals.
- Explore student support systems (on and off campus).
- If you have ANY concerns about self-harm, BE SURE to ask explicitly if student has thoughts or plans to harm or kill themselves e.g. "Have you been thinking of ending your life?"

## Do

### Prepare

Before you enter a situation where you are dealing with a distressed or distressing student:

- Have your resources at hand
- Know who to call for support in the moment
- Know how to make a referral

### De-Escalate

- Remain calm and non-threatening (consider tone of voice and posture/body position); people will often mirror your demeanor, minimizing escalation.
- Acknowledge student concerns; people in distress need to hear/feel that they are being heard.
- In the event student is not de-escalating and you have safety concerns, remove yourself/others and call for the appropriate support.

# Support for Faculty, Staff, And Peers Working with a Distressed Student (continued)

## Do

### Refer

- For safety concerns, always call York Public Safety first.
- Recommend services
- Encourage positive action by helping the student identify referrals and specific plans for connecting with resources.
- Call the support department with the student to assist in making a connection/ appointment.
- When appropriate, make plans to follow up with the student on how referral went.

### Consult

- As part of supporting a student in distress, you may need additional support and guidance.
- Either before, during, or after a meeting with a student, you can consult with the campus support department listed on the resource page, as well as your department leadership and experienced colleagues.
- While it is generally recommended you consult openly with the student present, you may want to consult privately if there are any safety concerns. If necessary, find someone to stay with the student while you consult with appropriate resources.

### Report

For emergencies and students experiencing or currently in crisis, it is still critical to contact Public Safety at 718-262-2222 (24/7) and the Office of Student Development at 718-262-2331 for immediate response. They will assess the situation in consultation with Counseling Services, Health Services, and other student service areas as needed. You do not need to manage the situation or make an assessment on your own.

## Distressed?

Distressed students may be irritable, sad, angry, unduly anxious, withdrawn, confused, unable to concentrate, or exhibit bizarre speech or erratic behavior. They may show behaviors such as, but not limited to, a decline in quality of work, bizarre content or nihilistic themes in writings, marked changes in appearance or hygiene, or make implied or direct threats of self-harm.

The student may disclose:

- Depression or anxiety symptoms
- Death of a family member
- Relationship breaks
- Family and parent issues

## Distressed? (continued)

- Identity concerns/conflicts
- Suicidal thoughts
- Concerns about themselves or loved ones contracting Covid-19, or other medical issue/hospitalization
- Feeling isolated or lonely due to quarantine/lockdown
- Financial concerns/unemployment concerns
- Distress over racial injustice or safety concerns for themselves or others

### Confidentiality and FERPA

While specific student records and information within offices like the Counseling Center and Ombudsperson are confidential by law (meaning information cannot be shared without consent or legal exception), we can always receive information and provide support through general consultation. The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records and DOES allow communication about a student when health and safety are a concern. Please note, observations made about a student's conduct, or comments and communication made by the students are NOT educational records and thereby do not fall under FERPA. Staff and Faculty are free and encouraged to share any health and safety concerns about a student with an appropriate campus entity.

## Disruptive?

Disruptive students interfere with the learning environment for themselves and other students. They behave in a manner that is disorderly, distracting, reckless, aggressive, paranoid, defiant, destructive and/or threatening. They may refuse to stop talking in class, continually interrupt class, or use language that is offensive and/or deliberately provocative. They may communicate threats via email, text, or phone calls.

For non-threatening disruptive behaviors in the classroom:

- Take the student aside, or meet with the student at the end of class
- Use a calm, non-confrontational approach
- Identify inappropriate behavior
- Review the classroom rules and policies
- Inform students of expected or required behavior moving forward
- Inform students of consequences if student's behavior does not conform to expectations
- Document your expectations in writing to the student in addition to your own notes
- Ask a student to leave as a last resort
- Before speaking to the student, you may consider cautioning the whole class/group about a particular behavior, rather than warning a single student.

## Disruptive? (continued)

### **Academic Indicators**

- Sudden decline in quality of work and grades
- Repeated absences
- Bizarre content in writings or presentations
- You find yourself doing more personal rather than academic counseling during office hours

### **Physical Indicators**

- Marked changes in physical appearance including deterioration in grooming, hygiene or weight loss/gain
- Excessive fatigue/sleep disturbance
- Intoxication, hangover, or smelling of alcohol
- Disoriented or “out of it”
- Garbled, tangential, or slurred speech

### **Safety Risk indicators**

- Unprovoked anger or hostility
- Implying or making a direct threat to harm self or others
- Academic assignments dominated by themes of extreme hopelessness, rage, worthlessness, isolation, despair, acting out, suicidal ideations/violent behaviors – a “cry for help”
- Communicating threats via email, correspondence, texting, social media postings, or phone calls

### **Psychological Indicators**

- Self-disclosure of personal distress – family problems, financial difficulties, contemplating suicide, grief
- Excessive tearfulness, panic reactions, irritability, or unusual apathy
- Verbal abuse (e.g., taunting, badgering, intimidation)
- Expressions of concern about the student by their peers

# Quick Resource Guide

## Referrals, Resources, and Interventions

[Office of Ombudsperson](#) – 718-262-2152 / [ombudsperson@york.cuny.edu](mailto:ombudsperson@york.cuny.edu)

- A safe, confidential, impartial and informal place to discuss a concern or complaint.
- For questions regarding applicable policies, procedures, or regulations.

## Health and Well-Being

[Counseling Services](#) – 718-262-2272 / [counseling@york.cuny.edu](mailto:counseling@york.cuny.edu)

- Students seeking confidential individual and group therapy (telehealth available)
- Students, faculty, or staff seeking consultation or requesting mental health workshops/trainings

[Center for Students with Disabilities](#) – 718-262-2191 / [csd@york.cuny.edu](mailto:csd@york.cuny.edu)

- Student is facing challenges associated with a physical, learning or psychological disability
- Students want to explore the possibility of academic accommodations due to a disability.

[Health Services](#) – 718-262-2050 / [StudHealthSvcCtr@york.cuny.edu](mailto:StudHealthSvcCtr@york.cuny.edu)

- Students seeking primary care and referral to specialty care and resources

## Policy and Enforcement

[Public Safety](#) – 718-262-2222

- Student presents a serious threat or imminent risk to self or others.

[Academic Integrity](#) – [integrity@york.cuny.edu](mailto:integrity@york.cuny.edu)

- Students' academic conduct represents a violation of university policy and faculty wish to take steps to hold student accountable and learn from mistakes.

[Student Conduct](#) – 718-262-2331 / [SAEM@york.cuny.edu](mailto:SAEM@york.cuny.edu)

- Students' social conduct represents a violation of university policy and faculty, or staff wish to take steps to hold student accountable and learn from mistakes.
- Faculty or staff need consultation as to whether student behavior constitutes a violation or University policy.

[Title IX Sexual Harassment Office](#) – 718-262-2137 / [apeterson1@york.cuny.edu](mailto:apeterson1@york.cuny.edu)

- Student wishes to file a complaint of sexual harassment or sexual assault.
- There are questions or concerns about sex discrimination or sexual harassment.
- Clarification is needed regarding policies on sexual assault and procedures for reporting it.

## Quick Resource Guide (continued)

### Cultural and Social Resources

#### [Student Activities and Leadership](#) - 718-262-2285

- Student is interested in joining or starting a student club/organization or Student Government Association
- Student is interested in participating in community service
- Student is interested in building their leadership skills

#### [Veterans Resources](#) - 718-262- 5298 / [leaton@york.cuny.edu](mailto:leaton@york.cuny.edu)

- Student is a veteran looking for services and opportunities

#### [Women's Center for Gender Justice](#) - 718 262-2008

- Student is looking for information on domestic violence/intimate partner violence education and awareness
- Student is looking for internal/external resources and referrals
- Student looking for leadership and mentoring opportunities

#### [Hungry for Knowledge Food Pantry/Student Resources](#) - 718-262-2008

- Student shares the need for resources to overcome financial barriers, food insecurity, and other social barriers preventing them from staying in school and graduating.