

MEMORANDUM

Date: April 8th, 2013

To: Binghamton University Council

From: Brian T. Rose, Vice President for Student Affairs 

c: Harvey G. Stenger, President

Re: Proposed Changes to the 2013-14 Code of Student Conduct

Enclosed please find proposed changes to the 2013-14 written publication of the Code of Student Conduct. As you will see, the changes are primarily technical revisions this year. I will review the rationale for each at the forthcoming Council Meeting prior to requesting a motion for formal approval of the changes per SUNY policy. I would be happy to provide whatever further information or clarification you require.

BTR/jar
enc.

MEMO

TO: Brian Rose

FM: April Thompson and Milton Chester

RE: Proposed changes to the 2013-14 Code of Student Conduct

DT: April 1, 2013

The Office of Student Conduct has concluded its annual review of the Code of Student Conduct and is proposing minor changes to the 2013-14 written publication.

As part of the annual review, students, faculty and staff are asked to review the Code and make suggestions for edits for the coming year. An email request for proposed changes was distributed to staff in Student Affairs, members of the conduct boards, key campus constituents, the student association, the graduate student organization, and several graduate/ undergraduate student organizations. The conduct office received several proposals for changes that included policy changes, updates to language, and typographical errors. Students have been offered an opportunity to provide feedback through student conduct staff members, student conduct board members, the student association leadership, the graduate student organization leadership, and open community sessions during the weeks of April 2nd and April 8th. The proposed changes were reviewed by the conduct office staff, Dean of Students and senior leaders in Student Affairs and the list below reflects our recommendations for changes to be included in 2013-14.

CHANGES TO GRAMMAR, TYPOS AND LANGUAGE

*The rationale is to correct grammar, correct typos, and bring clarity to the code. Changes are in **bold and underlined** unless otherwise noted.*

1. Proposals for Changes to the Preamble (page 1)

CURRENT LANGUAGE:

Binghamton University is committed to fostering responsible community living and holds individuals accountable for action by which all students and student groups are expected to abide at all times.

PROPOSED NEW LANGUAGE:

Binghamton University is committed to fostering responsible community living. Individuals and organizations are held accountable for actions that violate the standards for community behavior. All

students and student groups are expected to abide by the Binghamton University Code of Student Conduct.

2. Proposals for Changes to Rules (pages 1 – 3)

Rule 1. Consumption, possession or purchase of alcoholic beverages by any person less than ~~twenty-one (21) years of age~~ **the minimum age allowed by law.** Distribution of alcoholic beverages to anyone less than ~~twenty-one (21) years of age~~ **the minimum age allowed by law.**

Rule 15. Failing to comply with the ~~directions~~ **directives** of University officials acting in performance of their duties.

Rule 16. Failing to identify oneself to University officials ~~when requested to do so~~ **upon request when acting in performance of their duties.**

3. Proposals for Changes to Definitions (pages 3-5)

6. The term “policy” means the written regulations of the University as found in University published documents such as *the Student Handbook*, the University housing license, computer services acceptable use policy, fraternity and sorority recognition and governance policy, hazing **policy**, parking rules and regulations....

4. Proposal for Changes Student Code Authority (pages 6 – 7)

9. The University will not, as a matter of general practice, pursue alleged off-campus student misconduct....

- a. The incident involves endangering behavior ...
- b. There has been significant loss of or damage to property...
- c. Alcoholic beverages are sold or made available to underage persons; ...
- d. **the incident involves** hazing (as defined in Section II #15)

5. Proposal for Changes to Code of Student Conduct Procedures: Handling of Level II Cases (page 9)

v. If the matter cannot be resolved by mutual consent, the student will be sent the formal charges, a student conduct board hearing will be scheduled, and charges.....

6. Proposal for Changes to Code of Student Conduct Procedures: Appeals (page13)

7. The person(s) reviewing an appeal may:

- a) Affirm the finding and the sanction imposed by the original board.
- b) Affirm the finding and reduce, but not eliminate, the sanction, in accordance with ~~7.~~ 8. a) of this section.
- c) Assign the case to a new hearing board in accordance with Section IV A. of these procedures.
- d) Dismiss the case, in accordance with ~~with 7~~ 8.c) of this section.

CHANGES TO POLICY/PRACTICE

*The rational is to update policy and make changes as needed for the community. Changes are in **bold and underlined** unless otherwise noted.*

7. Proposals for Changes to Summary Action (page 13)

2. When the continued presence of the student on campus is deemed to constitute a clear and present danger to himself or herself, to the safety of others or to the property of the University, summary action may be taken by **the Dean of Students**, the assistant vice president for student life or designee. Summary action may include loss of contact with individuals, denial of access to facilities or suspension from the University pending the outcome of a student conduct board hearing.

8. **Rational:** This adds dean of students to this section consistent with dean of students role throughout the rest of the document.