

**Binghamton University**  
**Office of Student Conduct**  
**University Sanctioning Guidelines**  
**2019-2020**

For any conduct system to be credible, consistency must be a central element. These guidelines are intended to provide the community with a basic understanding of the consequences that result from specific behavior. However, for a disciplinary system to be fair it must be flexible enough to respond to each student as an individual and to the particular facts and circumstances of each case. Sanctions should reflect the University's desire to educate the student and the community while at the same time fostering a safe and secure campus environment for all students. Sanctions should also reflect the given set of circumstances of the case. Sanctioning decisions at Binghamton University seek to balance the goals of consistency of the process with the flexibility required to provide fairness to individual students. The University also strives to provide outcomes that are educationally appropriate given the facts of each case.

If a student is found to be responsible for a policy violation, or for attempting to violate or assisting in the violation of a policy, sanctions will be imposed. Appropriate sanctions will be determined based on the specific facts of the case, the student's level of intent, the student's prior disciplinary history, level of intoxication, whether the incident involved any bias, and the information set forth throughout this document regarding conduct expectations, aggravating and mitigating factors, and the outcomes of prior cases.

Students reviewing this document should look to the Code of Student Conduct for a complete set of rules and definitions.

## Sanction Definitions

**Conduct Warning** – A conduct warning is an official acknowledgment that one or more rules have been violated and considered a low-level sanction. Conduct warning serves as notice to a student that the behavior is counter to the expectations in the Code of Student Conduct. Conduct warning does not have a duration associated with it.

**Disciplinary Probation** — Disciplinary probation is a serious and active response to a violation of rules and may include educational sanctions or other requirements as a term of the probation. This is imposed for serious violations or a pattern of violations of the Code of Student Conduct. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found responsible for further violations of the Code of Student Conduct during the probationary period. While on probation, students may be ineligible to receive certain University awards or scholarships. At the discretion of campus offices and programs, students on probation may be ineligible for employment and/or participation in certain campus programs.

**Educational Interventions** – Students may be assigned to attend a workshop, complete an online module and/or meet with an office related to the incident.

**Restitution** — Restitution may include payment to an individual or to the University to cover the cost of damage, destruction, defacement, theft or unauthorized use of property.

**Loss of Privileges**— Loss of privileges is the loss of specified privileges such as use of a particular facility, visitation to a residence hall, housing priority, and contact with an individual or other privileges for a designated period of time.

Housing relocation or removal from University housing can be applied as a sanction. Students who have a serious violation of the community standards set in the Code of Student Conduct or the housing license, or because of a series of breaches of the community standards in the Residence Halls will be asked to relocate or leave all University Housing. Removal from housing typically includes the loss or visitation privileges to specific residential areas and penalty of forfeiting room and board charges for the semester in which the disciplinary action occurs.

**Relocation**— Relocation is the reassignment of a student from one living space to another.

**Final Probation** — Final probation is imposed only in very serious cases or cases where students are currently under a significant sanction. Final probation may include removal from all University housing and loss of visitation privileges to buildings or areas of campus and is imposed for a specified period of time. Students found responsible for any further violation of the Code of Student Conduct while on final probation may be suspended or expelled from the University.

**Suspension** — Suspension is the separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who have been suspended are unable to register for and attend classes or be present on University property without specific, written permission of the dean of students.

**Expulsion** — Expulsion is the permanent separation of the student from the University. Students who have been expelled may not be on campus without specific, written permission of the dean of students.

### A Note on Sanction Duration

Any sanction with a time element (e.g. probation, suspension, etc.) will be assigned in units of semesters. In most cases, the sanction will begin immediately upon the conclusion of the case. The current semester when a sanction is imposed is a countable semester in the sanction duration. The sanction will end on the last day of the last month of the semester (May 31 or December 31 in most cases).

For example, if a student is sanctioned with 2 semesters of Disciplinary Probation on March 15, 2020 then they will be on probation for the rest of the Spring 20 term, over the summer, and through the Fall 20 term. The 2-semester probation will conclude on December 31, 2020.

## Alcohol Policy Violations

### Rule #1

**Consumption, possession or purchase of alcoholic beverages by any person less than the minimum age allowed by law. Distribution of alcoholic beverages to anyone less than the minimum age allowed by law.**

### Rule #2

**Possession of more than one case of beer (288 oz. or 24 12-oz. cans or bottles), two liters of wine and two liters of distilled spirits. Possession of bulk containers of alcohol.**

The University is primarily concerned for the health and safety of the campus community. Binghamton University imposes disciplinary sanctions for violations of the alcohol policy as a means to educate students and deter behavior that negatively impacts the individual or the community. In most instances, first-time violations of the alcohol policy will result in a referral to Binghamton University's Health Promotion and Prevention Services' educational intervention and a conduct warning. In addition, students are encouraged to talk with their counselors and/or an alcohol educator about the role alcohol is playing in their life at Binghamton.

If a student fails to complete the educational intervention, repeatedly violate the alcohol policy, or violate other University policies, they will be subject to disciplinary sanctions that usually include compliance with the educational intervention(s). Students who repeatedly violate this standard of conduct are of particular concern to the University because of the health risks to the student. In situations where the incident results in relocation from housing or other serious penalties parents may be contacted.

Factors to be considered during sanctioning include the amount of alcohol present, the number of individuals present, and the general level of disruption caused to the community.

## Good Samaritan Actions

In cases of alcohol and/or prohibitive drug intoxication, the primary concern is the health and safety of the individual(s) involved. Individuals are strongly encouraged to call for medical assistance for themselves or a friend/acquaintance who is suffering alcohol poisoning. No student seeking medical treatment for an alcohol or other drug-related overdose or other life-threatening medical emergency will be subject to University discipline for the sole violation of using or possessing alcohol or drugs. This policy shall extend to another student seeking help for the intoxicated student and/or the student who is facing a medical emergency. This policy does not absolve organizations from sanction if they host an event and illegally serve alcohol or drugs.

Typical Behavior	Typical Sanctions
<p><b>Rule #1: Underage Drinking and/or Possession</b>  Underage individual with a <b>small</b> amount of alcohol (up to and including: 6 pack of cans/bottles and 1 bottle of wine/liquor).</p> <p>Note: Including alcohol found during room inspections.</p> <p>Students should note that they are responsible for the contents the residential space they are assigned to, regardless of who brought the materials into the space.</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 3 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation to appropriate area</li> </ul> <p><u>Fourth offense:</u></p> <ul style="list-style-type: none"> <li>• Suspension</li> </ul>

Typical Behavior	Typical Sanctions
<p><b>Rule #1: Underage Drinking and/or Possession</b> Underage individual with a <b>large</b> amount of alcohol (more than a 6 pack of cans/bottles and 1 bottle of wine/liquor).</p> <p>Note: Including alcohol found during room inspections.</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation to appropriate area</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> </ul> <p><u>Fourth offense:</u></p> <ul style="list-style-type: none"> <li>• Suspension</li> </ul>
<p><b>Rule #1: Underage Drinking and/or Possession</b> Providing persons under 21 years of age with alcohol.</p> <p>Hosting a party in your room, suite or apartment where underage drinking takes place.</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation to appropriate area</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> <li>• Removal from all University Housing</li> <li>• Loss of visitation to all residential areas</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• 2 semesters of Suspension <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #2: Exceeding Alcohol Possession Limit</b> Possession of more alcohol than stated in rule (applies to individuals over 21 years of age).</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation of appropriate area</li> </ul>

## Drug Policy Violations

### **Rule #3**

**Possession, personal use or purchasing of marijuana, illegal drugs, prescription drugs prescribed to another person or Controlled substances; or possession of drug paraphernalia containing drug residue.**

### **Rule #4**

**Distribution of illegal drugs, prescription drugs prescribed to another person or Controlled substances.**

Federal and state laws control the possession, use and sale of drugs and include penalties for violations. Binghamton University prohibits the illegal possession or distribution of any illicit drug so defined under state or federal law, and views the use, possession, or sale of any illicit drug as contradictory to the welfare of both the individual and the campus community. The harmful effects of drug abuse on physical and mental health are well established, as are the costs of such actions both academically and legally.

It is critical that all members of the community understand and anticipate the University's response to individual cases of illegal use, possession, transfer, distribution and trafficking in illicit drugs or the attempt, solicitation, or conspiracy to commit any such offenses. Action taken by the University in all cases of drug violations will be guided by a concern both for the welfare of the person involved and for the maintenance of a suitable educational environment for all members of the campus community. The University is not a law enforcement agency and does not assess the penalties specified in state and federal laws. Adjudication of violations of the drug policy, however, may reflect current medical and legal standards related to different classes of illicit drugs. Additionally, the University will cooperate with local, state and federal authorities. University Police Officers will confiscate observed drug paraphernalia or apparently illegal drugs and students found to be in possession of these items are subject to arrest.

A violation of federal, state, or local laws concerning drugs is a violation of University policy and is subject to University disciplinary action up to and including suspension or expulsion.

Students are accountable for their own decisions regarding the use of illicit drugs; they are also responsible for knowing and complying with applicable University policies and state and federal laws related to illicit drugs.

Typical Behavior	Typical Sanctions
<p><b>Rule #3: Personal Use/Possession of Drugs</b> Possession/personal use of marijuana (<b>small</b> amount = 20 grams or less).</p> <p>Possession of drug paraphernalia with marijuana residue</p> <p>Purchasing or attempting to purchase a small amount of marijuana</p> <p><b>Sanctioning considerations for all violations include:</b></p> <ul style="list-style-type: none"> <li>• How the violation was committed</li> <li>• The amount and nature of the drug(s) involved</li> <li>• The level of knowledge and the intent of the student</li> <li>• Prior disciplinary history of the student</li> <li>• Frequency of incident</li> </ul>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention</li> <li>• Relocation or Removal from Housing if appropriate</li> <li>• Loss of visitation to appropriate area</li> </ul> <p><u>Fourth offense:</u></p> <ul style="list-style-type: none"> <li>• Suspension</li> </ul>
<p><b>Rule #3 Personal Use/Possession of Drugs</b> Possession/personal use of marijuana (<b>large</b> amount = more than 20 grams)</p> <p>Purchasing or attempting to purchase a (<b>large</b> amount) of marijuana</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation to appropriate area</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Third offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation until graduation</li> <li>• Educational Intervention</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> </ul>
<p><b>Rule #3: Personal Use/Possession of Drugs</b> Possession/personal use of prescription drugs prescribed to another.</p> <p>Purchasing or attempting to purchase prescription drugs prescribed to another</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Relocation if appropriate</li> <li>• Loss of visitation to appropriate area</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul>

Typical Behavior	Typical Sanctions
<p><b>Rule #3: Personal Use/Possession of Drugs</b> Possession/personal use of other drugs</p> <p>Possession of drug paraphernalia with residue other than marijuana</p> <p>Purchasing or attempting to purchase other drugs</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention (Referral to Alcohol, Tobacco and Other Drugs Office)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 2 semesters of Suspension <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #4: Distribution/Sale of Drugs</b> Selling or distributing small quantity of marijuana (up to 4 oz. or 113g).</p> <p><b>Sanctioning considerations for all violations of Rule #4 include:</b></p> <ul style="list-style-type: none"> <li>• How the violation was committed</li> <li>• The amount and nature of the drug(s) involved</li> <li>• The level of knowledge and the intent of the student</li> <li>• Delivery or attempted delivery of the drug(s)</li> <li>• Prior disciplinary history of the student</li> </ul>	<ul style="list-style-type: none"> <li>• 1 to 4 semesters of Suspension <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #4: Distribution/Sale of Drugs</b> Selling or distributing large quantities of marijuana (more than 4 oz. or 113g)</p>	<ul style="list-style-type: none"> <li>• 2 semesters of Suspension to Expulsion <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #4: Distribution /Sale of Drugs</b> Selling other drugs (i.e. cocaine, heroin, ecstasy, controlled prescriptions, etc.)</p>	<ul style="list-style-type: none"> <li>• 1 year suspension to expulsion</li> </ul>

**Rule #5****Theft of property or services; or knowingly possessing stolen property.**

Binghamton is a community that values safety and trust. Students who undermine this trust by misappropriating college and personal property usually face serious sanctions. Theft that has an impact on another student's ability to complete their academic work (i.e. theft of academic materials or electronic devices) will result in more serious sanctions.

Typical Behavior	Typical Sanctions
<p><b>Rule #5: Theft</b> Possession of sign (non-traffic)</p> <p>Minor theft from a dining hall</p>	<ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution if appropriate</li> </ul> <p>Referral to Alcohol, Tobacco and Other Drugs Office should be considered when alcohol or other drugs are a factor.</p>
<p><b>Rule #5: Theft</b> Theft of property or services (i.e. Parking, Fit Space, etc.)</p> <p><b>Sanctioning Considerations Include:</b></p> <ul style="list-style-type: none"> <li>• Impact on the community</li> <li>• Impact on the individual</li> <li>• Academic nature of the work</li> <li>• Monetary value of the item(s)</li> </ul> <p>However, there is a broad range of behaviors.</p>	<p>In general, sanction(s) for theft will include:</p> <ul style="list-style-type: none"> <li>• A period of Disciplinary Probation (based on semesters)</li> <li>• Restitution (if appropriate)</li> <li>• Educational intervention(s)</li> </ul>
<p>Thefts that impact another student's ability to meet their academic responsibilities (i.e. theft of electronic devices) will result in more serious consequences.</p>	<p>Sanctions should reflect the severity of the theft. For instances of theft or acts that pose a threat to the community, sanctions to consider include suspension, loss of access to facilities and/or loss of housing.</p> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>
<p><b>Rule #5: Theft</b></p> <p>Lounge furniture in a student room</p> <p>Possession of traffic sign (stop, yield, etc.)</p>	<ul style="list-style-type: none"> <li>• 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• 4 semesters disciplinary probation</li> <li>• Restitution (if appropriate)</li> </ul>

**Rule #6****Manufacture, sale, or use of altered or another person's documents, including those used for identification.**

Typical Behavior	Typical Sanctions
<b>Rule #6: IDs</b> Use of altered or false identification  Use of another person's documents for identification	<u>First offense:</u> <ul style="list-style-type: none"> <li>• 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s)               <ul style="list-style-type: none"> <li>○ Referral to Alcohol, Tobacco and Other Drugs Office, if appropriate</li> </ul> </li> </ul> <u>Second Offense:</u> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention(s)</li> </ul>
<b>Rule #6: IDs</b> Manufacture or sale of false identification	<u>First offense:</u> <ul style="list-style-type: none"> <li>• 2 semesters of Suspension               <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u></li> </ul> </li> <li>• Final Probation</li> </ul>
<b>Rule #6: IDs</b> Forging University IDs or documents	Consult with the Office of Student Conduct.

**Rule #7****Intentionally or recklessly destroying or damaging property.**

Typical Behavior	Typical Sanctions
<p><b>Rule #7: Damage</b> Damage in a Residence Hall or Public Space</p>	<p>In general a sanction for damage will include:</p> <ul style="list-style-type: none"> <li>• A period of disciplinary probation</li> <li>• Restitution</li> <li>• Educational Intervention(s)</li> </ul> <p>However, there is a broad range of behaviors.</p> <p>Proposed sanctions reflect guidelines for typical <u>minor</u> damage. Sanctions should reflect the severity of the damage.</p> <p>For instances of <u>major</u> damage, sanctions to consider may include suspension, loss of access to facilities and/or loss of housing.</p> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>

**Rule #8****Endangering, threatening, causing, or attempting to cause physical harm to any person or causing reasonable apprehension of such harm.**

As an academic community, Binghamton University is unequivocally committed to fostering an environment in which community members can feel personally safe and emotionally secure. The presence of violent behaviors or activities are diametrically contrary to institutional goals and are to be vigorously opposed in their myriad forms. In consideration of the broad range of behaviors that could qualify as ‘violence’, it is impossible to construct a set of specific sanctions to cover every possibility.

Instances of violence will be considered on an individual basis. However, since community safety is a principle concern for Binghamton University, most cases involving violence or threats of harm to others are considered serious enough to warrant a period of separation from the University.

If a student is deemed to be responsible for such a violation, appropriate sanctions will be based on the specific facts of the case, the student’s intent, any aggravating or mitigating factors, and the student’s prior disciplinary record. Decisions will be effected by the amount of harm done to others and the degree to which the behavior was intentional or irresponsible.

In general, a sanction for violence or harm to other(s) will include:

- A period of Disciplinary/Final Probation, Suspension or Expulsion.
- Educational Intervention(s).
- Loss of housing

However, given the broad range of possibilities, sanctions will reflect the severity of the behavior and cannot be easily classified in a chart form.

**Violence and Alcohol**

Students are held accountable for their behavior while intoxicated and for any violations of the alcohol or other drugs policy. Sanctions for violence may be enhanced if alcohol or other drugs are involved.

**Aggravating Factors**

In cases of physical violence or threatening harm to another member of the community, aggravating factors may include but no limited to whether or not the student responsible was substantially motivated by the victim’s race, color, religion, sex, age, sexual orientation, gender identity or expression, national origin, disability, or military/veteran status. Another aggravating factor is the charged student’s disciplinary history.

**Sanctioning Considerations also include:**

- Level of harm**
- Intent**
- Context of the behavior**
- Impact on the community**
- Impact on the individual**

Typical Behavior	Typical Sanctions
<p><b>Rule #8: Physical Harm</b> Shove  Isolated threat</p>	<ul style="list-style-type: none"> <li>• Conduct Warning up to Final Probation</li> <li>• Educational Interventions</li> <li>• Loss of contact with victim(s) if situation warrants</li> <li>• Relocation (if appropriate)</li> <li>• Loss of visitation to appropriate area(s)</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment or is bias related.</p>
<p><b>Rule #8: Physical Harm</b> Mutual physical altercation with minor or no injuries i.e. no medical treatment is required.</p>	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation to Final Probation</li> <li>• Educational Intervention(s)</li> <li>• Loss of contact with victim(s) (if appropriate)</li> <li>• Relocation (if appropriate)</li> </ul> <p>Note: Students should expected enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment or is bias related.</p>
<p><b>Rule #8: Physical Harm</b> Assault with minor or no injuries i.e. no medical treatment is required.</p>	<ul style="list-style-type: none"> <li>• Final Probation to Suspension</li> <li>• Educational Intervention(s)</li> <li>• Loss of contact with the victim(s) (if appropriate)</li> <li>• Relocation or removal from housing (if appropriate) <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul> <p>Note: Students should expected enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment or is bias related.</p>

Typical Behavior	Typical Sanctions
<b>Rule #8: Physical Harm</b> Assault with a weapon	<ul style="list-style-type: none"> <li>• Suspension to Expulsion               <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<b>Rule #8: Physical Harm</b> Assault with serious injuries i.e. medical treatment is required	<ul style="list-style-type: none"> <li>• Suspension to Expulsion</li> </ul>
<b>Rule #8: Endangering Behavior</b> Use of bicycles, in-line skates, roller skates, skateboards, hoverboards, or similar devices inside building	<ul style="list-style-type: none"> <li>• Conduct Warning to 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>
<b>Rule #8: Endangering Behavior</b> Shining lasers out of windows  Climbing on the roof of any building  Entering or exiting building from windows	<ul style="list-style-type: none"> <li>• 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul> <p>Note: Students should expected enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>
<b>Rule #8: Endangering Behavior</b> Throwing objects from windows that may cause serious injury	<ul style="list-style-type: none"> <li>• Final Probation to Suspension</li> <li>• Removal from all University housing (if appropriate)</li> <li>• Loss of visitation to all residential areas (if appropriate)</li> <li>• Educational Intervention(s)               <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<b>Rule #8: Endangering Behavior</b> Tampering with life or personal safety equipment such as automated external defibrillators (AED)	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation – Final Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>

**Rule #9:  
Stalking.**

Typical Behavior	Typical Sanctions
<p><b>Rule #9: Stalking</b> Engaging in a course of conduct likely to cause distress or emotional or physical discomfort <i>without</i> the threat of physical injury.</p> <p>Engaging in a course of conduct likely to cause distress or emotional or physical discomfort <i>with</i> the threat of physical injury – <i>isolated threat</i>.</p>	<ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Loss of contact with claimant(s)</li> <li>• Relocation (if appropriate)</li> <li>• Loss of visitation to appropriate area(s)</li> </ul>
<p><b>Rule #9: Stalking</b> Repeated instances of engaging in a course of conduct likely to cause distress, or emotional or physical discomfort <b>without</b> the threat of physical injury.</p> <p>Repeated instances of engaging in a course of conduct likely to cause distress, or emotional or physical discomfort <b>with</b> the threat of physical injury – <b>isolated threat</b>.</p> <p>Engaging in a course of conduct likely to cause injury, distress, or emotional or physical discomfort <b>with</b> the threat of physical injury –<b>repeated intentional threats</b>.</p> <p>Stalking (The obsessive pursuit of an individual in a menacing manner that evokes fear in the person).</p>	<p><u>First Offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation to Suspension <ul style="list-style-type: none"> <li>➤ <u>If NOT Suspended:</u> <ul style="list-style-type: none"> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing (if victim lives in University housing)</li> <li>○ If removed from housing, loss of visitation to all residential areas</li> </ul> </li> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul> <p><u>Second Offense:</u></p> <ul style="list-style-type: none"> <li>• Expulsion</li> </ul> <p>Note: Students should expected enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>

**Harassment/Sexual and Dating Violence****Rule #10  
Harassment.**

Typical Behavior	Typical Sanctions
<b>Rule #10: Harassment</b> Non-sexual harassment wherein one engages in behavior with no legitimate purpose other than the intent to annoy or alarm another person.  i.e. cyberbullying or non-discriminatory harassment in-person	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation up to Suspension</li> </ul> Note: A consistent or repetitive pattern of behavior may result in increased sanctions.

**Rule #11  
Sexual harassment.** - Consult with the Office of Student Conduct**Rule #12  
Domestic violence or dating violence.**

Students found responsible for dating or domestic violence should be prepared to face suspension or expulsion. Where the facts and circumstances justify mitigating to a lesser sanction of probation, students may also be subject to the following to promote the University's educational mission and to minimize disruption to the campus community:

- Required educational activities appropriate to the facts and circumstances of the case; and
- Required limitations on campus activities, including limited access to specific facilities or areas of campus, adherence to the terms of "No Contact" orders, and other restrictions appropriate to the circumstances.

Failure to comply with stated conditions of a disciplinary sanction may result in further disciplinary action, up to and including permanent separation from the University.

Typical Behavior	Typical Sanctions
<b>Rule #12: Domestic Violence or Dating Violence</b> Refer to Page 5 of the 2019-2020 <i>Code of Student Conduct</i> for definitions of both Domestic Violence and Dating Violence	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation up to Expulsion</li> <li>• Loss of contact with victim(s)</li> </ul>

**Rule #13****Any form of sexual violence, sexual assault, and/or rape.**

To protect the community, students found responsible for sexual assault should be prepared to be expelled. Where the facts and circumstances justify mitigating to a lesser sanction of suspension, students found responsible may also be subject to the following to promote the University's educational mission and to minimize disruption to the campus community:

- Required educational activities appropriate to the facts and circumstances of the case and;
- Required limitations on campus activities, including limited access to specific facilities or areas of the campus, adherence to the terms of "No Contact" orders, and other restrictions appropriate to the circumstances.

Some sexual misconduct cases involve students who have been in previous or subsequent relationships with one another. While the acknowledged previous or subsequent relationship provided context for the nature of the communication between students involved, the existence of a relationship does not relieve or mitigate the charged student's responsibility for engaging in sexual activity without consent.

The health and safety of every student at the State University of New York and its state-operated and community colleges is of utmost importance. Binghamton University 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. Binghamton University strongly encourages students to report incidents of 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 Binghamton University officials or law enforcement will not be subject to Binghamton University'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.

Typical Behavior	Typical Sanctions
<p><b>Rule #13: Sexual Assault and Rape</b>  Rape: See <i>2019-2020 Code of Student Conduct</i>, Section 1: Definitions, #19 (Rape) and #3 (Affirmative Consent)</p>	<ul style="list-style-type: none"> <li>• 2 semesters Suspension up to Expulsion <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #13: Sexual Assault and Rape</b>  Sexual Assault: See <i>2019-2020 Code of Student Conduct</i>, Section 1: Definitions, #25 (Sexual Assault) and #3 (Affirmative Consent)</p>	<ul style="list-style-type: none"> <li>• Period of Final Probation up to Expulsion <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>

**Rule #14**  
**Hazing**

Individual students found responsible for violations of this policy should be prepared for significant individual sanctions, up to and including suspension or expulsion.

Student organizations, groups or teams found responsible for violations of this policy should be prepared for significant organizational sanctions, which may include:

- Multiple terms of probation, and a requirement to comply with educational and other conditions specific to the case.

**And/or**

- Loss of new member recruitment privileges for a period of a minimum of one year.

The most serious violations of this policy are likely to result in suspension or revocation or organizational recognition.

<b>Typical Behavior</b>	<b>Typical Sanctions</b>
<b>Rule #14: Hazing</b> Hazing: See <i>2019-2020 Code of Student Conduct</i> , Section 1: Definitions, #13 (Hazing)	Consult with the Office of Student Conduct

**Rule #15****Possession of weapons, dangerous chemicals, or explosives.**

Typical Behavior	Typical Sanctions
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Possession of fireworks or firecrackers</p> <p><b>Sanctioning considerations include:</b></p> <ul style="list-style-type: none"> <li>• Type of fireworks</li> <li>• Quantity</li> </ul>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning to 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention(s)</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> </ul>
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Use of fireworks or firecrackers</p> <p><b>Sanctioning considerations include:</b></p> <ul style="list-style-type: none"> <li>• Type of fireworks</li> <li>• Quantity</li> </ul>	<ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Restitution (if appropriate)</li> <li>• Educational Intervention(s) <ul style="list-style-type: none"> <li>➤ <u>If used in a University residential space:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Educational Intervention(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> <li>○ Restitution (if appropriate)</li> </ul> </li> </ul> </li> </ul> <p>Note: Student should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>

Typical Behavior	Typical Sanctions
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Possession of BB and paint guns, air soft guns, bow and arrows, slingshot.</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention(s)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation up to Suspension</li> <li>• Educational Intervention(s)</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Possession of Martial Arts Weapons</p> <p>Possession of knives (gravity knife, hunting knife, lock blades, daggers, switchblade, butterfly knife, or any other knife used as a weapon)</p>	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation through Final Probation</li> <li>• Educational Intervention(s)</li> <li>• Relocation <input type="checkbox"/> if appropriate)</li> <li>• Removal from all University housing (if appropriate)</li> <li>• Loss of visitation to all or specified residential area(s) (if appropriate)</li> </ul>
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Use of BB and paint guns, air soft guns, bow and arrows, slingshot</p> <p>Use of knives (gravity knife, hunting knife, lock blades, daggers, switchblade, butterfly knife, or any other knife used as a weapon)</p> <p>Use of martial arts weapons or ornamental weapons</p> <p><b>Sanctioning Considerations Include:</b></p> <ul style="list-style-type: none"> <li>• Manner of use</li> <li>• Location of use</li> <li>• Intention</li> <li>• Injury or physical harm</li> <li>• Perceived risk</li> <li>• Impact of the behavior on the community</li> </ul>	<ul style="list-style-type: none"> <li>• 1 semester suspension—expulsion <ul style="list-style-type: none"> <li>➤ <u>If Suspended, Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Loss of contact with victim(s)</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #15: Weapons, Chemicals and/or Explosives</b> Possession or use of hand gun or long gun (i.e. rifle)</p> <p>Possession or use of explosives</p>	<ul style="list-style-type: none"> <li>• Expulsion</li> </ul>

**Rule #16**

**Unauthorized entry into or use of University premises; unauthorized possession, duplication or use of keys, keycards or access devices to any University premises; entering a residence hall without being granted authorized access from the University or without being an invited guest of or accompanied by a current resident of the building.**

Typical Behavior	Typical Sanctions
<b>Rule #16: Unauthorized Entry/Keys</b> Loaning of key  Loaning of building key card	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (for lock change) (if appropriate)</li> </ul>
<b>Rule #16: Unauthorized Entry/Keys</b> Unauthorized person in a closed building  Loitering or trespassing in a building or on campus grounds	<ul style="list-style-type: none"> <li>• 1 semester Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Possible loss of visitation to area(s)</li> </ul>
<b>Rule #16: Unauthorized Entry/Keys</b> Entering an area posted for restricted access such as a lab or construction zone	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (if appropriate)</li> <li>• Loss of visitation to location (if appropriate)</li> </ul>
<b>Rule #16: Unauthorized Entry/Keys</b> Entering a residence hall without being an invited guest of or accompanied by a current resident of hall	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Loss of visitation privileges to specified building for 1 year</li> <li>• Educational Intervention(s)</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>
<b>Rule #16: Unauthorized Entry/Keys</b> Entering someone's room unwanted and without Permission  <b>Sanctioning Considerations Include:</b> <ul style="list-style-type: none"> <li>• Intent</li> <li>• Impact on the individual who's room was entered</li> <li>• Actual harm caused</li> </ul>	<ul style="list-style-type: none"> <li>• 4 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Relocation (if appropriate)</li> <li>• Loss of visitation to appropriate area(s)</li> </ul>
<b>Rule #16: Unauthorized Entry/Keys</b> Forcing entry past person  Forced entry into building/room through window or door	<ul style="list-style-type: none"> <li>• 4 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (if appropriate)</li> <li>• Relocation if violation occurs in student's residence hall</li> <li>• Loss of visitation to building</li> </ul>

**Rule #17**

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

<b>Rule #17: Failure to Comply</b> Obstruction of emergency personnel (police, fire, EMS) from performing their official duties	<ul style="list-style-type: none"> <li>• 4 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>
<b>Rule #17: Failure to Comply</b> Failure to appear in a meeting when requested to do so	<ul style="list-style-type: none"> <li>• 1 semester Disciplinary Probation</li> </ul>
<b>Rule #17: Failure to Comply</b> Running from a police officer	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>

**Rule #18**

**Failing to identify oneself, upon request, to University officials acting in performance of their duties.**

<b>Rule #18: Failure to Identify Oneself</b> Failing to show ID when requested to do so	<ul style="list-style-type: none"> <li>• 1 semester Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>
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**Rule #19**

**Disorderly or disruptive conduct that interferes with the normal operations of the University or infringes on the rights of others.**

Typical Behavior	Typical Sanctioning
<b>Rule #19: Disorderly Conduct</b> Disrupting a class room  Blocking access to a roadway, office, or building  <b>Sanctioning Considerations Include:</b> <ul style="list-style-type: none"> <li>• Level of disruption</li> <li>• Impact on the learning environment</li> <li>• Duration of disruption</li> <li>• Safety concerns</li> </ul>	Consult with the Office of Student Conduct

**Rule #20**

**Providing false or misleading information, including false identification, to the University or any University official.**

Typical Behavior	Typical Sanctioning
<b>Rule #20: False Information</b> Lying to staff during a confrontation	<ul style="list-style-type: none"> <li>• 1 semester Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>
<b>Rule #20: False Information</b> Lying on an application  Lying to a University official	The Office of Student Conduct will determine sanction in consultation with the appropriate office
<b>Rule #20: False Information</b> Lying during a student conduct hearing	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>

**Rule #21**

**Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.**

Typical Behavior	Typical Sanctioning
<b>Rule #21: False Report of Emergency</b> Accidentally activating a fire alarm (reckless horseplay, hallway sports, leaning up against it, unattended cooking, etc.)	<ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention(s) (Referral to complete Fire Safety Module)</li> </ul>
<b>Rule #21: False Report of Emergency</b> Falsely reporting a crime	Consult with the Office of Student Conduct
<b>Rule #21: False Report of Emergency</b> Falsely reporting a bomb threat	<ul style="list-style-type: none"> <li>• Expulsion</li> </ul>
<b>Rule #21: False Report of Emergency</b> Intentionally pulling a false fire alarm	<ul style="list-style-type: none"> <li>• 2 semesters of Suspension               <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>

**Rule #22**

**Tampering with fire safety equipment; intentionally, carelessly or recklessly causing a fire to be ignited; or intentionally interfering with or failing to follow emergency procedures.**

Typical Behavior	Typical Sanctions
<p><b>Rule #22: Fire Safety</b> Failure to leave a University facility when a fire alarm sounds</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention(s)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>
<p><b>Rule #22: Fire Safety</b> Dropping hot embers in a dumpster</p>	<ul style="list-style-type: none"> <li>• 2 semesters Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution</li> </ul>
<p><b>Rule #22: Fire Safety</b> Removing fire extinguisher</p> <p>Discharging a fire extinguisher</p> <p>Dismantling/covering smoke alarms</p> <p>Destruction of exit or emergency signs</p>	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Restitution</li> <li>• Educational Intervention(s) (Referral to complete Fire Safety Module for first offense, Fire Safety Workshop for second offense)</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>
<p><b>Rule #22: Fire Safety</b> Recklessly playing with fire (flaming shots, igniting flammable liquids or aerosols) <i>without</i> damage</p> <p>Accidentally starting a fire in a building <i>without</i> damage</p>	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s) (Referral to complete the Fire Safety workshop)</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>
<p><b>Rule #22: Fire Safety</b> Recklessly playing with fire (flaming shots, igniting flammable liquids or aerosols) <i>with</i> damage</p>	<ul style="list-style-type: none"> <li>• 2 semesters of Suspension</li> <li>• Restitution <ul style="list-style-type: none"> <li>➤ <u>Upon Return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>
<p><b>Rule #22: Fire Safety</b> Intentionally setting anything on fire</p>	<ul style="list-style-type: none"> <li>• Suspension to Expulsion</li> </ul>

**Rule #23**

**Making or distributing unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy. Distribution of authorized nude or sexually explicit images without consent.**

Typical Behavior	Typical Sanctions
<p><b>Rule #23: Unauthorized Videos/Photographs</b> Making unauthorized video or photographic images.</p> <p>Sanctioning considerations include:</p> <ul style="list-style-type: none"> <li>• Sanction will be increased in the content is highly personal in nature</li> <li>• Impact on the individual(s)</li> </ul>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s) <ul style="list-style-type: none"> <li>➤ <u>If situation warrants:</u> <ul style="list-style-type: none"> <li>○ Loss of contact with victim(s)</li> <li>○ Possible relocation</li> <li>○ Possible loss of visitation to area where victim resides</li> </ul> </li> </ul> </li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation to Suspension</li> <li>• Educational Intervention(s)</li> <li>• Loss of contact with victim(s)</li> <li>• Relocation or possible removal from all University housing</li> <li>• Loss of visitation to appropriate and/or all residential areas</li> </ul>
<p><b>Rule #23: Unauthorized Videos/Photographs</b> Sharing or distributing video photographic images whether or not the taking of the image was authorized.</p> <p>Sanctioning considerations include:</p> <ul style="list-style-type: none"> <li>• Impact on the individual(s)</li> <li>• Whether the image was taken with consent</li> <li>• Suspension should be considered for images that are highly personal and widely distributed</li> <li>• Expulsion should be considered for cases where the distribution involves some form of personal gain (monetary or otherwise) extortion</li> </ul>	<ul style="list-style-type: none"> <li>• Final Probation to Expulsion</li> <li>• Educational Intervention(s)</li> <li>• Loss of contact with victim(s)</li> <li>• Loss of visitation to area(s) of photography</li> <li>• Possible relocation <ul style="list-style-type: none"> <li>➤ <u>If suspended, upon return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> </ul> </li> </ul> </li> </ul>

**Rule #24****Violating any disciplinary sanction imposed accordance with the *Code of Student Conduct*.**

Typical Behavior	Typical Sanctions
<p><b>Rule #24: Violation of Sanctions</b> Failure to adhere to loss of visitation</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Extend sanctions by 2 semesters</li> <li>• Current loss of visitation to be geographically expanded (residence hall to area, area to all areas)</li> <li>• Possible relocation by virtue of expanded loss of visitation</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation to Suspension</li> <li>• Removal from all University housing (if appropriate)</li> <li>• Loss of visitation to all residential areas if removed from housing</li> </ul>
<p><b>Rule #24: Violation of Sanctions</b> Failure to adhere to loss of contact</p>	<p>*If the incident for which the sanction was originally imposed <b>did not involve</b> physical threats or violence toward the victim(s):</p> <p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Extend sanctions by 2 semesters</li> <li>• Add or extend loss of visitation to area(s) where victim(s) reside</li> <li>• Relocation (if appropriate)</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• 1 semester Suspension <ul style="list-style-type: none"> <li>➤ <u>If suspended, upon return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> <li>○ Required reflective paper and interview</li> </ul> </li> </ul> </li> </ul> <p>*If the incident for which the sanction was originally imposed <b>did involve</b> physical threats or violence toward the victim(s):</p> <p><u>First offense:</u></p> <ul style="list-style-type: none"> <li>• Final Probation until graduation up to Suspension</li> <li>• Removal from all University housing (if victim(s) reside in University housing)</li> <li>• If removed from housing, loss of visitation to all residential areas</li> </ul> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> <li>• Suspension <ul style="list-style-type: none"> <li>➤ <u>If suspended, upon return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> <li>○ Required reflective paper and interview</li> </ul> </li> </ul> </li> </ul>

**Rule #25**

**Taking an excessive number of copies of a campus newspaper, magazine or other publication in a way that interferes with the open distribution of that material.**

Typical Behavior	Typical Sanctions
<p><b>Rule #25: Taking Excess Copies</b> Self-explanatory</p> <p><b>Sanctioning considerations include:</b></p> <ul style="list-style-type: none"> <li>• Intention for taking the copies</li> <li>• Impact of the action</li> </ul>	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (if appropriate)</li> </ul>

**Rule #26**

**Bringing an animal into any University building with the following exceptions:**

- Service dogs
- Services for Students with Disabilities (SSD) authorized emotional support animals (ESAs). ESAs are not allowed in any University building except for the residence hall room in which the student approved for the ESA resides\*.
- Small fish in residence halls.
- \*See University Housing License for further restrictions and policies.

Typical Behavior	Typical Sanctions
<p><b>Rule #26: Animals</b> Self-explanatory</p>	<ul style="list-style-type: none"> <li>• Disciplinary Probation for remainder of academic year with periodic checking to determine compliance</li> </ul>

**Rule #27****Violations of published University regulations or policies.**

Typical Behavior	Typical Sanctions
<b>Rule #27: Published University Policies</b> Violations of Computing Services policy	The Office of Student Conduct will determine appropriate sanctions in consultation with the Information Technology Services (ITS) office
<b>Rule #27: Published University Policies</b> Downloading copyrighted material from internet sites without paying for it	<u>First offense:</u> <ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Limited access to University Computing Network – 1 semester</li> <li>• Educational Intervention(s)</li> </ul> <u>Second offense:</u> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Loss of personal computer access – 2 semesters</li> <li>• Educational Intervention(s)</li> </ul>
<b>Rule #27: Published University Policies</b> Distribution of non-approved quarter sheets in residence halls or other areas of campus  Door to door solicitation	<u>First offense:</u> <ul style="list-style-type: none"> <li>• Conduct Warning</li> <li>• Educational Intervention(s)</li> </ul> <u>Second offense:</u> <ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Loss of visitation to area(s) if offense happened in the same area(s) as the first offense</li> </ul>

Typical Behavior	Typical Sanctions
<b>Rule #27: Published University Policies</b> Possession of a candle or incense	<ul style="list-style-type: none"> <li>• Conduct Warning up to 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s) (For first offense referral to Fire Safety Module, for second offense referral to Fire Safety Workshop)</li> </ul>
<b>Rule #27: Published University Policies</b> Attended lit candle or incense without permission	<ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s) (For first offense referral to Fire Safety Module, for second offense referral to Fire Safety Workshop)</li> </ul>
<b>Rule #27: Published University Policies</b> Unattended lit candle or incense <i>without</i> damage	<ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s) (For first offense referral to Fire Safety Module, for second offense referral to Fire Safety Workshop)</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> </ul> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment.</p>
<b>Rule #27: Published University Policies</b> Unattended lit candle or incense which <i>causes</i> a fire	<ul style="list-style-type: none"> <li>• 2 semesters of Suspension</li> <li>• Restitution               <ul style="list-style-type: none"> <li>➤ <u>If suspended, upon return:</u> <ul style="list-style-type: none"> <li>○ Final Probation until graduation</li> <li>○ Removal from all University housing</li> <li>○ Loss of visitation to all residential areas</li> <li>○ Required reflective paper and interview</li> </ul> </li> </ul> </li> </ul>
<b>Rule #27: Published University Policies</b> Failure to obtain a permit for a campfire (EH&S Policy)	<ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul>

Typical Behavior	Typical Sanctions
<b>Rule #27: Published University Policies</b> Violation of policy by a non-Binghamton University guest	Consult with the Office of Student Conduct
<b>Rule #27: Published University Policies</b> Failure of hosts to be present during the guest's visit	<ul style="list-style-type: none"> <li>• Conduct Warning</li> </ul>
<b>Rule #27: Published University Policies</b> Violation of policy that occurs in a student's room, suite, or apartment for which no one takes responsibility	Consult with the Office of Student Conduct. In general, sanctions will correspond to those listed for the specific violation.
<b>Rule #27: Published University Policies</b> Violating quiet hours and/or courtesy hours	<u>First offense:</u> <ul style="list-style-type: none"> <li>• Conduct Warning</li> </ul> <u>Second offense:</u> <ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul> <u>Third offense</u> <ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Relocation (if appropriate)</li> <li>• Loss of visitation to appropriate area(s)</li> </ul>
<b>Rule #27: Published University Policies</b> Fire inspection violation	<ul style="list-style-type: none"> <li>• Educational Conversation to 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s) (For first offense referral to Fire Safety Module, for second offense referral to Fire Safety Workshop)</li> </ul>
<b>Rule #27: Published University Policies</b> Use of Tobacco or Tobacco-derived products on campus.  Note: this also includes vaping	<u>First offense:</u> <ul style="list-style-type: none"> <li>• 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul> <u>Second offense:</u> <ul style="list-style-type: none"> <li>• 4 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> </ul> <u>Third offense:</u> <ul style="list-style-type: none"> <li>• Final probation</li> <li>• Removal from all University housing</li> <li>• Loss of visitation to all residential areas</li> <li>• Educational Intervention(s)</li> </ul>

**Violations of published University regulations or policies. (Fraternity and Sorority Recognition and Governance)**

Typical Behavior	Typical Sanction
<b>Rule #27: Published University Policies</b> Failure to abide by the regulations described in the Fraternity and Sorority Recognition and Governance Document	Consult with the Office of Student Conduct
<b>Rule #27: Published University Policies</b> Failure to comply with any suspension or withdrawal of recognition of a student organization, including social fraternities or sororities, (i.e., offering membership into, accepting membership into, or acting in the capacity of an organization that has been suspended or lost University recognition may be considered a violation)	Consult with the Office of Student Conduct

**Rule #28****Violations of any Federal, State or Local law.**

Typical Behavior	Typical Sanctions
<b>Rule #28: Federal, State, Local Law</b> Persons 21 and over possessing open containers and/or consuming alcohol outside of rooms, suites, apartments, licensed dining facilities, or at registered events	<ul style="list-style-type: none"> <li>• Conduct Warning</li> </ul>
<b>Rule #28: Federal, State, Local Law</b> Any form of gambling in which the organizer takes a cut	Consult with the Office of Student Conduct
<b>Rule #28: Federal, State, Local Law</b> Driving under the influence	<ul style="list-style-type: none"> <li>• Final Probation</li> <li>• Educational Intervention(s)</li> <li>• Loss of on-campus parking privileges for one year</li> </ul>
<b>Rule #28: Federal, State, Local Law</b> Public urination	<ul style="list-style-type: none"> <li>• 1 semester of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (if appropriate)</li> </ul> <p>Note: Consult with the Office of Student Conduct if behavior is directed at another person</p>
<b>Rule #28: Federal, State, Local Law</b> Public defecation	<ul style="list-style-type: none"> <li>• 2 semesters of Disciplinary Probation</li> <li>• Educational Intervention(s)</li> <li>• Restitution (if appropriate)</li> </ul> <p>Note: Consult with the Office of Student Conduct if behavior is directed at another person</p>
<b>Rule #28: Federal, State, Local Law</b> Any behavior that is against the law but is not specifically addressed in the <i>Code of Student Conduct</i>	Consult with the Office of Student Conduct

**Students who have non-Binghamton University guests are responsible for informing their guests of the Code of Student Conduct and may be held responsible for the actions of their guests. Student hosts must be present during their guest' visits. Students are responsible for violations committed by others that occur in their University-operated room, suite or apartment unless another Binghamton University student(s) takes responsibility for the violation. (Student Code Authority #9)**

**Retaliation against individuals who file a complaint under the Code of Student Conduct, including Title IX complaints, who serve as a witness or who participate in a student conduct or Title IX proceeding in any manner is prohibited. (Student Code Authority #11)**

Sanctioning considerations include: Consult with the Office of Student Conduct

- Nature of the retaliation, i.e. inclusion of threats of bodily harm; coercion; harassment
- Impact on the individual
- Impact on the process