

Binghamton University
Office of Student Conduct
Sanction Guidelines

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 is not a status sanction and there is no sanction duration associated with it.

Disciplinary Probation — Disciplinary probation is a serious and active response to a violation of rules and may include Educational intervention or other requirements as a term of the probation. 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.

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

Educational Interventions – Students may be assigned to attend a workshop 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. It may also include payment for medical bills not covered by insurance.

Relocation or Removal from Housing — Relocation is the reassignment of a student from one living space to another. Removal from housing is the removal of a student from all University-operated housing. Relocation and removal from housing are usually accompanied by loss of visitation privileges to specified residential areas, and are imposed for a specified period of time.

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 may not be on campus 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. Winter and Summer terms are not included in the semester timeline. 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 Probation on March 15, 2025 then they will be on probation for the rest of the Spring 2025 term, over the summer, and through the Fall 2025 term. The 2-semester probation will conclude on December 31, 2025.

Alcohol Policy Violations

Rule #1. Consumption, possession or purchase of alcoholic beverages by any person less than the minimum age allowed by law.

Rule #2. Distribution of alcoholic beverages to anyone less than the minimum age allowed by law.

Rule #3. 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, or 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. First-time violations of the alcohol policy will result in a referral to Binghamton’s educational and /or medical intervention and a 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/medical program, repeatedly violates the alcohol policy, or violates other University policies, they will be subject to disciplinary sanctions that usually include compliance with the education/medical program. 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 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 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>Rule #1: Underage Drinking and/or Possession</p> <p>Underage individual with small amount of alcohol (up to and including: 6pack 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 of their room, regardless of who brought the materials into the room</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Conduct Warning • Educational Intervention <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 3 semesters disciplinary probation • Referral to Alcohol and Other Drugs Office <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • Final Probation • Referral to Alcohol and Other Drugs Office • Relocation if appropriate • Loss of visitation to appropriate area <p><u>Fourth offense:</u></p> <ul style="list-style-type: none"> • Suspension

Typical Behavior	Typical Sanctions
<p>Rule #1: Underage Drinking and/or Possession Underage individual with large 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 Inspection</p>	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Conduct Warning • Educational Intervention <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 4 semesters of disciplinary probation • Referral to Alcohol and Other Drugs Office • Relocation if appropriate • Loss of visitation to appropriate area <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • Final probation • Referral to Alcohol and Other Drugs Office • Removal from all University housing • Loss of visitation to all residential areas <p><u>Fourth offense:</u></p> <ul style="list-style-type: none"> • Suspension
<p>Rule #2: Distribution of Alcoholic Beverages Providing persons under 21 years of age with alcohol 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"> • 4 semesters disciplinary probation • Referral to Alcohol and Other Drugs Office • Relocation if appropriate • Loss of visitation to appropriate area <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Final probation • Referral to Alcohol and Other Drugs Office • Removal from all University Housing • Loss of visitation to all residential areas <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • 2 semesters of suspension <p><u>Upon Return:</u></p> <ul style="list-style-type: none"> • Final Probation • Removal from all University housing • Loss of visitation to all residential areas
<p>Rule #3: Exceeding Alcohol Possession Limit 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"> • Conduct Warning <p>Educational intervention</p> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 4 semesters disciplinary probation • Referral to Alcohol and Other Drugs Office <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • Final Probation • Referral to Alcohol and Other Drugs Office • Relocation if appropriate • Loss of visitation of appropriate area

Drug Policy Violations

Rule #4

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

Rule #5

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

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

Typical Behavior	Typical Sanctions
Rule #4: Personal Use/Possession of Drugs	
<p>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"> • Final probation • Referral to Alcohol and Other Drugs Office <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 2 semesters of suspension <p><u>Upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #5: Distribution/Sale of Drugs	
<p>Selling or distributing small quantity of marijuana (up to 4 oz. or 113g)</p> <p>Sanctioning considerations for all violations of Rule #5 include:</p> <ul style="list-style-type: none"> • How the violation was committed • The amount and nature of the drug(s) involved • The level of knowledge and the intent of the student • Delivery or attempted delivery of the drug(s) • Prior disciplinary history of the student 	<ul style="list-style-type: none"> • 1 to 4 semesters of suspension <p><u>Upon Return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #5: Distribution/Sale of Drugs	
<p>Selling or distributing large quantities of marijuana (more than 4 oz. or 113g)</p>	<ul style="list-style-type: none"> • 2 semesters of suspension to expulsion <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #5: Distribution/Sale of Drugs	
<p>Selling other drugs (i.e. cocaine, heroin, ecstasy, Controlled prescriptions, etc.)</p>	<ul style="list-style-type: none"> • 1 year suspension to expulsion

Rule #6**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
Rule #6: Theft Possession of sign (non-traffic) Minor theft from a dining hall	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Restitution if appropriate
Rule #6: Theft	
Theft of property or services (i.e. Parking, Fit Space, etc) Sanctioning Considerations Include: <ul style="list-style-type: none"> • Impact on the community • Impact on the individual • Academic nature of the work • Monetary value of the item(s) 	In general a sanction for theft will include: <ul style="list-style-type: none"> • A period of disciplinary probation • Restitution if appropriate • Educational intervention(s) However, there is a broad range of behaviors.
Thefts that impact another student's ability to meet their academic responsibilities (i.e. theft of electronic devices) will result in more serious consequences	Sanctions should reflect the severity of the theft. For instances of theft or acts that pose a threat to the community, loss of access to facilities and/or loss of housing and suspension may be considered. Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment
Rule #6. Theft	
Possession of traffic sign (stop, yield, etc.) Lounge furniture in a student room	<ul style="list-style-type: none"> • 1-4 semesters of disciplinary probation • Educational intervention(s) • Restitution if appropriate

Rule #7

Manufacture, sale, or use of another person's documents, including those used for identification. This includes fraudulent IDs and/or driver's licenses.

Typical Behavior	Typical Sanctions
Rule #7: IDs	
Use of altered or false identification Use of another person's documents for identification	<u>First offense:</u> <ul style="list-style-type: none"> • 1 semester disciplinary probation • Educational intervention(s) • Referral to Alcohol and Other Drugs Office if appropriate <u>Second offense:</u> <ul style="list-style-type: none"> • Final probation • Educational intervention(s)
Rule #7: IDs	
Manufacture or sale of false identification	<u>First offense:</u> <ul style="list-style-type: none"> • 2 semesters suspension <u>Upon return:</u> ⇒ Final probation
Rule #7: IDs	
Forging University IDs or documents	Consult with the Office of Student Conduct

Rule #8

Intentionally or recklessly destroying or damaging property

Typical Behavior	Typical Sanctions
Rule #8: Damage	
Damage in a Residence Hall or Public Space	<p>In general a sanction for damage will include:</p> <ul style="list-style-type: none">• A period of disciplinary probation• Restitution• Educational intervention(s) <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, loss of access to facilities and/or loss of housing and suspension may be considered.</p> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>

Rule #9

Endangering, threatening or causing 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 will include:

- A period of disciplinary 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 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
Rule #9: Physical Harm	
Shove Isolated threat	<ul style="list-style-type: none"> • Conduct Warning up to Final probation • Educational intervention(s) • Loss of contact with victim if situation warrants • Relocation if appropriate • Loss of visitation to appropriate area
Rule #9: Physical Harm	
Mutual physical altercation with minor or no injuries i.e. no medical treatment is required.	<ul style="list-style-type: none"> • 4 semesters disciplinary probation to final probation • Educational intervention(s) • Loss of contact if appropriate • Relocation if appropriate • Loss of visitation to appropriate area
Rule #9: Physical Harm	
Assault with minor or no injuries i.e. no medical treatment is required.	<ul style="list-style-type: none"> • Final probation to suspension • Educational intervention(s) • Loss of contact with victim • Relocation or removal from housing if appropriate • Loss of visitation to appropriate area <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation until graduation ⇒ Loss of contact with victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas

Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment

Typical Behavior	Typical Sanctions
<p>Rule #9: Physical Harm</p> <p>Assault with a weapon</p>	<ul style="list-style-type: none"> • Suspension—Expulsion_ <u>Upon return if suspended:</u> ⇒ Final probation until graduation ⇒ Loss of contact with the victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
<p>Rule #9: Physical Harm</p> <p>Assault with serious injuries i.e. medical treatment is required</p>	<ul style="list-style-type: none"> • Suspension to Expulsion
<p>Rule #9: Endangering Behavior</p> <p>Use of bicycles, in-line skates, roller skates, skateboards, hoverboards, or similar devices inside building</p> <p>Shining lasers out of windows. Climbing on the roof of any building Entering or exiting building from windows</p>	<ul style="list-style-type: none"> • Conduct Warning to 2 semesters disciplinary probation • Educational intervention(s)
<p>Rule #9: Endangering Behavior</p> <p>Throwing objects from windows that may cause serious injury</p>	<ul style="list-style-type: none"> • Final probation—suspension • Removal from all University housing if appropriate • Loss of visitation to all residential areas if appropriate • Educational intervention(s) <u>If suspended, upon return:</u> ⇒ Final probation ⇒ Loss of contact with victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
<p>Rule #9: Endangering Behavior</p> <p>Tampering with life or personal safety equipment such as automated external defibrillators (AED)</p>	<ul style="list-style-type: none"> • 4 semesters disciplinary probation – Final probation • Educational intervention(s) • Restitution

Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment

Rule #10
Stalking

Typical Behavior	Typical Sanctions
<p>Rule #10: Stalking</p>	
<p>Engaging in a course of conduct likely to cause distress, or emotional or physical discomfort without the threat of physical injury.</p> <p>Engaging in a course of conduct likely to cause distress, or emotional or physical discomfort with the threat of physical injury – isolated threat.</p> <p>Engaging in a course of conduct likely to cause injury, distress, or emotional or physical discomfort with the threat of physical injury –repeated intentional threats.</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"> • Final probation—suspension <p><u>If not suspended:</u></p> <ul style="list-style-type: none"> ⇒ Loss of contact with victim ⇒ Removal from all University housing (if victim lives in University housing) ⇒ If removed from housing, loss of visitation to all residential areas <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation ⇒ Loss of contact with victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Expulsion <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>

Harassment/Sexual and Dating Violence

**Rule #11
Harassment**

Rule #11: Harassment	
Non-sexual harassment wherein one engages in behavior with no legitimate purpose other than the intent to annoy or alarm another person. e.g. cyberbullying or non-discriminatory harassment in person	<ul style="list-style-type: none"> • 2 semesters disciplinary probation up to Suspension <p>Note: A consistent or repetitive pattern of behavior may result in increased sanctions.</p>

**Rule #12
Sexual harassment** - Consult with the Office of Student Conduct

**Rule #13
Domestic violence or dating violence.**

Students found responsible for dating or domestic violence may face sanctions up to 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
- 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

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.

Rule #13: Domestic Violence or Dating Violence	
Refer to Page 5 of the Code of Student Conduct for definitions of both Domestic and Dating Violence.	<ul style="list-style-type: none"> • 4 semesters of disciplinary probation up to Expulsion • Loss of contact with the victim

Rule #14

Any form of sexual violence, sexual assault, and/or rape.

To protect the community, students found responsible for sexual assault may receive sanctions up to suspension or expulsion from the University. 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
- 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
Rule #14: Sexual Assault and Rape	
Rape: See Code of Student Conduct Section 1: Definitions #19 (Rape) and # 3 (Affirmative Consent)	<ul style="list-style-type: none">• 2 semesters suspension up to Expulsion <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none">⇒ Final probation until graduation⇒ Loss of contact with the victim⇒ Removal from all University housing⇒ Loss of visitation to all residential areas
Rule #14: Sexual Assault and Rape	
Sexual Assault: See Code of Student Conduct Section 1: Definitions #25 (Sexual Assault) and #3 (Affirmative Consent)	<ul style="list-style-type: none">• Final Probation up to Expulsion <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none">⇒ Final probation until graduation⇒ Loss of contact with the victim⇒ Removal from all University housing⇒ Loss of visitation to all residential areas

Rule #15

Hazing

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

Student organizations, groups or teams found responsible for violations of this policy may face significant organizational sanctions, including:

- 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.

Typical Behavior	Typical Sanctions
Rule #15: Hazing	
See Code of Student Conduct Section: Definitions #14: Hazing (page 5 of Code of Student Conduct)	One year of Disciplinary Probation to Expulsion

Rule #16

Possession of weapons, dangerous chemicals, or explosives.

Typical Behavior	Typical Sanctions
Rule #16: Weapons, Chemicals, Explosives	
Possession of fireworks or firecrackers Sanctioning considerations include: <ul style="list-style-type: none"> • Type of fireworks • Quantity 	<u>First offense:</u> <ul style="list-style-type: none"> • Conduct Warning —4 semesters disciplinary probation • Educational intervention <u>Second offense:</u> <ul style="list-style-type: none"> • Final probation • Educational intervention(s) • Removal from all University housing • Loss of visitation to all residential areas
Rule #16: Weapons, Chemicals, Explosives	
Use of fireworks or firecrackers	<ul style="list-style-type: none"> • Final probation • Restitution if appropriate • Educational intervention(s) <u>If used in a residence hall:</u> <ul style="list-style-type: none"> ⇒ Final probation ⇒ Educational intervention(s) ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas ⇒ Restitution if appropriate <p>Note: Student should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>

Typical Behavior	Typical Sanctions
Rule #16: Weapons, Chemicals, Explosives	
Possession of BB and paint guns, air soft guns, bow and arrows, slingshot.	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Final probation • Educational intervention(s) <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Final probation—suspension • Educational intervention(s) • Removal from all University housing • Loss of visitation to all residential areas <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation ⇒ Loss of contact with victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Possession of Martial Arts Weapons Possession of knives (gravity knife, hunting knife, lock blades, daggers, switchblade, butterfly knife, or any other knife used as a weapon)	<ul style="list-style-type: none"> • 2 semesters disciplinary probation—final probation • Educational intervention(s) • Relocation if appropriate • Removal from University housing if appropriate • Loss of visitation to all or specified residential area if appropriate
Rule #16: Weapons, Chemicals, Explosives	
Use of BB and paint guns, air soft guns, bow and arrows, slingshot Use of knives (gravity knife, hunting knife, lock blades, daggers, switchblade, butterfly knife, or any other knife used as a weapon) Use of martial arts weapons or ornamental weapons Sanctioning Considerations Include: <ul style="list-style-type: none"> • Manner of use • Location of use • Intention • Injury or physical harm • Perceived risk • Impact of the behavior on the community 	<ul style="list-style-type: none"> • 1 semester suspension—expulsion <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation until graduation ⇒ Loss of contact with victim ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #16: Weapons, Chemicals, Explosives	
Possession or use of hand gun or long gun (i.e. rifle) Possession or use of explosives	<ul style="list-style-type: none"> • Expulsion

Rule #17

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 an invited guest of or accompanied by a current resident of the building.

Typical Behavior	Typical Sanctions
Rule #17: Unauthorized Entry/Keys	
Loaning of key Loaning of building key card	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Restitution (for lock change) if appropriate
Rule #17: Unauthorized Entry/Keys	
Unauthorized person in a closed building Loitering or trespassing in a building or on campus grounds	<ul style="list-style-type: none"> • 1 semester disciplinary probation • Possible loss of visitation to area
Rule #17: Unauthorized Entry/Keys	
Entering an area posted for restricted access such as a lab or construction zone	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Restitution if appropriate • Loss of visitation to location if appropriate
Rule #17: Unauthorized Entry/Keys	
Entering a residence hall without being an invited guest of or accompanied by a current resident of hall	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Loss of visitation privileges to building for 1 year • Educational intervention(s) <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>
Rule #17: Unauthorized Entry/Keys	
Entering someone’s room unwanted and without Permission Sanctioning Considerations Include: <ul style="list-style-type: none"> • Intent • Impact on the individual who’s room was entered • Actual harm caused 	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) • Relocation if appropriate • Loss of visitation to appropriate area
Rule #17: Unauthorized Entry/Keys	
Forcing entry past person Forced entry into building/room through window or door	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) • Restitution if appropriate • Relocation if violation occurs in student’s residence hall • Loss of visitation to building

Rule #18**Failing to comply with the directives of University officials acting in performance of their duties.**

Typical Behavior	Typical Sanctions
Rule #18: Failure to Comply	
Obstruction of emergency personnel (police, fire, EMS) from performing their official duties	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s)
Rule #18: Failure to Comply	
Failure to appear in meeting when requested to do so	<ul style="list-style-type: none"> • 1 semester disciplinary probation
Rule #18: Failure to Comply	
Running from a police officer	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s)

Rule #19**Failure to identify oneself, upon request, to University officials acting in performance of their duties.**

Typical Behavior	Typical Sanctions
Rule #19: Failure to Identify Oneself	
Failing to show ID when requested to do so	<ul style="list-style-type: none"> • 1 semester disciplinary probation • Educational intervention(s)

Rule #20**Disorderly or disruptive conduct that interferes with the normal operations of the University or infringes on the rights of others.**

Typical Behavior	Typical Sanctioning
Rule #20: Disorderly Conduct	
Disrupting a class room Blocking access to a roadway, office, or building Sanctioning Considerations Include: <ul style="list-style-type: none"> • Level of disruption • Impact on the learning environment • Duration of disruption • Safety concerns 	Consult with the Office of Student Conduct

Rule #21**Providing false or misleading information, including false identification, to the University or any University official.**

Typical Behavior	Typical Sanctions
Rule #21: False Information	
Lying on an application Lying to a University Official Lying during a student conduct board hearing	<ul style="list-style-type: none"> • One to two semesters of Disciplinary Probation • Educational intervention Pending the nature of the violation, The Office of Student Conduct may also consult the appropriate office to determine sanctions.

Rule #22**Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion or other emergency.**

Typical Behavior	Typical Sanctions
Rule #22: False Report of Emergency	
Accidentally activating a fire alarm (reckless horseplay, hallway sports, leaning up against it, unattended cooking, etc...)	<ul style="list-style-type: none"> • Conduct Warning
Rule #22: False Report of Emergency	
Falsely reporting a crime	Consult with Office of Student Conduct
Rule #22: False Report of Emergency	
Falsely reporting a bomb threat	<ul style="list-style-type: none"> • Suspension to expulsion
Intentionally pulling a false fire alarm	<ul style="list-style-type: none"> • 2 semesters suspension <u>Upon return:</u> ⇒ Final probation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas

Rule #23

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
Rule #23: Fire Safety	
Failure to leave a University facility when a fire alarm Sounds	<ul style="list-style-type: none"> • Conduct Warning (First Offense) • 2 semesters disciplinary probation (Second Offense) • Educational intervention(s)
Rule #23: Fire Safety	
Dropping hot embers in a dumpster	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Restitution
Rule #23: Fire Safety	
Removing fire extinguisher Discharging a fire extinguisher Dismantling/covering smoke alarms Destruction of exit or emergency signs	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Restitution • Educational intervention(s) Note: Student should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment
Rule #23: Fire Safety	
Recklessly playing with fire (flaming shots, igniting flammable liquids or aerosols) without damage Accidentally starting a fire in a building without damage	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) • Removal from all University housing • Loss of visitation to all residential areas Note: Student should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment
Recklessly playing with fire (flaming shots, igniting flammable liquids or aerosols) with damage	<ul style="list-style-type: none"> • 2 semesters suspension • Restitution <u>Upon return:</u> ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #23: Fire Safety	
Intentionally setting anything on fire	<ul style="list-style-type: none"> • Suspension to Expulsion

Rule #24

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
Rule #24: Unauthorized Videos/Photographs	
<p>Making unauthorized video or photographic images</p> <p>Sanctioning considerations include:</p> <ul style="list-style-type: none"> • Sanction will be increased if the content is highly personal in nature • Impact on the individual 	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) <p><u>If situation warrants:</u></p> <ul style="list-style-type: none"> ⇒ Loss of contact with victim ⇒ Possible relocation ⇒ Possible loss of visitation to area where victim lives <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Final probation—Suspension • Educational intervention(s) • Loss of contact with victim • Relocation or possible removal from all University housing • Loss of visitation to appropriate or all residential areas
Rule #24: Unauthorized Videos/Photographs	
<p>Sharing or distributing video or photographic images whether or not the taking of the image was authorized</p> <p>Sanctioning considerations include:</p> <ul style="list-style-type: none"> • Impact on the individual • Whether the image was taken with consent • Suspension should be considered for images that are highly personal and widely distributed • Expulsion should be considered for cases where the distribution involves some form of personal gain (monetary or otherwise) or extortion 	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Final probation—expulsion • Educational intervention • Loss of contact with the victim • Loss of visitation to area of photography • Possible relocation <p><u>If suspended, upon return:</u></p> <ul style="list-style-type: none"> ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas

Rule #25

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

Typical Behavior	Typical Sanctions
Rule #25: Violation of Sanctions	
Failure to adhere to loss of visitation	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Extend sanctions by 2 semesters • Current loss of visitation to be geographically expanded (hall to area, area to all areas) <p>• Possible relocation by virtue of expanded loss of visitation</p> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Final probation to Suspension • Removal from all University housing if appropriate • Loss of visitation to all residential areas if removed from housing
Rule #25: Violation of Sanctions	
Failure to adhere to loss of contact	<p>If the incident for which the sanction was originally imposed did not involve physical threats or violence toward the victim:</p> <p><u>First offense:</u></p> <ul style="list-style-type: none"> • Extend sanctions by 2 semesters • Add or extend loss of visitation to area where victim lives <p>• Relocation if appropriate</p> <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 1 semester suspension <p><u>Upon return:</u></p> <ul style="list-style-type: none"> ⇒ Required reflective paper and interview ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas <p>If the incident for which the sanction was originally imposed involved physical threats or violence toward the victim:</p> <p><u>First offense:</u></p> <ul style="list-style-type: none"> • Final probation until graduation—suspension • Removal from all University housing (if victim lives in University housing) • If removed from housing, loss of visitation to all residential areas <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • Suspension <p><u>Upon return:</u></p> <ul style="list-style-type: none"> ⇒ Required reflective paper and interview ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas

Rule #26

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
Rule #26: Taking Excess Copies	
Sanctioning considerations include: <ul style="list-style-type: none">• Intention for taking the copies• Impact of the action	<ul style="list-style-type: none">• 4 semesters disciplinary probation• Educational intervention(s)• Restitution if appropriate

Rule #27

Bringing an animal into any University building with the following exceptions: certified guide dog, service animals, disability-related accommodations requested and approved through Services for Students with Disabilities and small fish in residence hall (see University Housing License for further restrictions and policies).

Typical Behavior	Typical Sanctions
Rule #27: Animals	<ul style="list-style-type: none">• Disciplinary probation for remainder of academic year with periodic checking to determine compliance

Rule #28**Violations of published University regulations or policies.**

Typical Behavior	Typical Sanctions
Rule #28: Published University Policies	
Violations of Computing Services policy	Office Student Conduct will determine appropriate sanction in consultation with the Information Technologies Services (ITS) office
Rule #28: Published University Policies	
Downloading copyrighted material from internet sites without paying for it	<u>First offense:</u> <ul style="list-style-type: none"> • 2 semesters disciplinary probation • Limited access to University Computing Network—1 semester • Educational intervention(s) <u>Second offense:</u> <ul style="list-style-type: none"> • 4 semesters disciplinary probation • Loss of personal computer access—2 semesters • Educational intervention(s)
Rule #28: Published University Policies	
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"> • Conduct Warning • Educational intervention(s) <u>Second offense:</u> <ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Loss of visitation to area if offense happened in the same area as the first offense

Rule #28

Violations of published University regulations or policies

Typical Behavior	Typical Sanctions
Rule #28: Published University Policies	
Possession of a candle or incense	<ul style="list-style-type: none"> • Conduct Warning – 1 semester disciplinary probation • Educational intervention(s)
Rule #28: Published University Policies	
Attended lit candle or incense without permission	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s)
Rule #28: Published University Policies	
Unattended lit candle or incense <i>without</i> damage	<ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) • Removal from all University housing • Loss of visitation to all residential areas <p>Note: Students should enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>
Rule #28: Published University Policies	
Unattended lit candle or incense which <i>causes</i> a fire	<ul style="list-style-type: none"> • 2 semesters suspension • Restitution <p><u>Upon return:</u></p> <ul style="list-style-type: none"> ⇒ Required reflective paper and interview ⇒ Final probation until graduation ⇒ Removal from all University housing ⇒ Loss of visitation to all residential areas
Rule #28: Published University Policies	
Failure to obtain a permit for a campfire (EHS Policy)	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s)

Typical Behavior	Typical Sanctions
Rule #28: Published University Policies	
Failure of hosts to be present during the guest's visit	<ul style="list-style-type: none"> • Conduct Warning
Rule #28: Published University Policies	
Violation of policy that occurs in a student's room, suite, or apartment for which no one takes responsibility	All students assigned to the residential space where the violation was documented may be held responsible, in addition to students not assigned to the space but were present for the violation.
Rule #28: Published University Policies	
Violating quiet hours and/or courtesy hours	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • Conduct Warning <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 2 semester disciplinary probation • Educational intervention(s) <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • Final probation • Educational intervention(s) • Relocation if appropriate • Loss of visitation to appropriate area
Rule #28: Published University Policies	
Fire inspection violation	<ul style="list-style-type: none"> • Educational Conversation to 1 semester disciplinary probation • Educational intervention(s)
Rule #28: Published University Policies	
Use of Tobacco or Tobacco-derived products on campus. Note: this also includes vaping	<p><u>First offense:</u></p> <ul style="list-style-type: none"> • 1 semester disciplinary probation • Educational intervention(s) <p><u>Second offense:</u></p> <ul style="list-style-type: none"> • 4 semesters disciplinary probation • Educational intervention(s) <p><u>Third offense:</u></p> <ul style="list-style-type: none"> • Final probation • Removal from all University housing • Loss of visitation to all residential areas • Educational intervention(s)

Rule #28. Violations of published University regulations or policies.

(Fraternity and Sorority Recognition and Governance)

Typical Behavior	Typical Sanction
Rule #28: Published University Policies	
Failure to abide by the regulations described in the Fraternity and Sorority Recognition and Governance Document	Consult with the Office of Student Conduct
Rule #28: Published University Policies	
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 #29. Violations of any Federal, State or Local law.

Typical Behavior	Typical Sanctions
Rule #29: Federal, State, Local Law	Consult with the Office of Student Conduct