

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. The particular facts and circumstances of each case 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 should balance the goals of consistency of the process with the flexibility required to provide fair results 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, and the student's history of conduct.

Sanction Definitions

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

Typical Behavior	Typical Sanctions
Rule #1: Underage Drinking and/or Possession of Alcohol	

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. The University prohibits the illegal possession or distribution of any illicit drug so defined under state or federal laws. The University 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, and 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 incidents of illegal use, possession, transfer, distribution and trafficking in illicit drugs or the attempt, solicitation, or offer to commit any such offenses. Action taken by the University in all cases of drug violations will be guided by the University's policies, both for the welfare of the persons 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 penalties as specified in state and federal laws. Adjudication of violations of the drug policy, however, may reflect current campus and legal standards related to different classes of illicit drugs. Additionally, the University will cooperate with state and federal authorities. University Police Officers will confiscate observed drug paraphernalia or apparatus and illegal drugs and students found to be in possession of these items are subject to arrest.

Typical Behavior	Typical Sanctions
<p>Rule #: Personal Use/Possession of Drugs</p> <p>Possession/personal use of marijuana (small amount = 20 grams or less)</p> <p>Possession of drug paraphernalia/marijuana residue</p> <p>Purchasing or attempting to purchase a small amount of marijuana</p>	<p>First offense:</p> <ul style="list-style-type: none"> • Conduct Warning • Referral to Alcohol and Other Drugs <p>Second offense:</p> <ul style="list-style-type: none"> • 4 semesters discipline/probation • Referral to Alcohol and Other Drugs

Sanctioning considerations for all violations include:

- How the violation was committed
- The amount and nature of the drug(s)
- The level of knowledge and the intent of the student
- Prior disciplinary history of the student

	Typical Sanctions
Rule #: Personal Use/Possession of Drugs	
Possession/personal use of other drugs	<u>First offense:</u> <ul style="list-style-type: none">• Final probation
Possession of drug paraphernalia with resic	•

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
<p>Rule #6: Theft Possession of sign (traffic) Minor theft from a dining hall</p>	<ul style="list-style-type: none"> • 2 semesters disciplinary probation • Educational intervention(s) • Restitution appropriate
<p>Rule #6: Theft</p>	
<p>Theft of property or services (i.e. Parking, Fit Sp... Sanctioning Considerations Include:</p> <ul style="list-style-type: none"> • Impact on the community • Impact on the individual • Academic nature of work • Monetary value of item(s) 	<p>In general a sanction for theft will include:</p> <ul style="list-style-type: none"> • A period of disciplinary probation • Restitution appropriate • Educational intervention(s) <p>However, there is a broad range of behaviors.</p>
<p>Thefts that impact another student's ability to complete 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 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.</p> <p>Note: Students should expect enhanced sanctioning if the incident is the result of alcohol intoxication or drug impairment</p>
<p>Rule #6. Theft</p>	
<p>Possession of traffic sign (stop, yield, et... Lounge furniture in a student room</p>	<ul style="list-style-type: none"> • 1-4 semester of disciplinary probation • Educational intervention(s) • Restitution 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
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Rule #: IDs

Rule #8

Intentionally or recklessly destroying or damaging property

Typical Behavior	Typical Sanctions
Rule #8: Damage	
Damage in a Residence Hall or Public Space	In general a sanction for damage will include: <ul style="list-style-type: none">• A period of disciplinary probation• Restitution• Educational intervention(s) However, there is a broad range of behaviors.

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 victimization warrants • Relocation if appropriate • Loss of visitation to appropriate area
Rule #9: Physical Harm	
Mutual physical altercation with minor or no injury i.e. nomedical treatment is required.	<ul style="list-style-type: none"> • 4 semesters disciplinary probation to final probation • Educational intervention(s) •

Typical Behavior

Typical Sanctions

Rule #0: Physical Harm

- Suspension-Expulsion
- Upon return suspended:
⇒ Final probation until graduation
⇒

Rule #10
Stalking

Typical Behavior	Typical Sanctions
Rule #0: Stalking Engaging in a course of conduct likely to cause	

Harassment Sexual and Dating Violence

Rule #11

Harassment

Rule #11: Harassment	
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Non-sexual harassment wherein one engages in with no legitimate purpose other than the intention to alarm another person.

e.g. cyberbullying or non

Rule #1

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

To protect the community, students found responsible for sexual assault may be subject 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:

- Requir

Rule #6

Possession of weapons, dangerous chemicals, or explosives.

Typical Behavior	Typical Sanctions
Rule #1	

Typical Behavior	Typical Sanctions
Rule #6: Weapons, Chemicals, Explosives Possession of BB and paint guns, air soft guns, arrows, slingshots	

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 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:

- Intent
- Impact on the individual who's room entered
- Actual harm caused

- 4 semesters disciplinary probation
- Educational intervention(s)
- Relocation if appropriate
- Loss of visitation to appropriate building

Rule #17 causeun

- 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 #8

Rule #2

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

Rule #2

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 #2: Fire Safety	
Failure to leave a University facility when a fire Sounds	<ul style="list-style-type: none">• Conduct Warning (First Offense)• 2 semesters disciplinary probation (Second Offense)• Educational intervention(s)
Rule #2: Fire Safety	
Dropping hot embers in a dumpster	<ul style="list-style-type: none">• 2 semesters disciplinary probation• Educational intervention(s)• Restitution
Rule #2: Fire Safety	
Removing fire extinguisher	<ul style="list-style-type: none">• 4 semesters disciplinary probation• Restitution
Discharging a fire	

Rule #2

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

Rule #2

Violating any disciplinary sanction imposed

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 #8

Violations of published University regulations or policies

Typical Behavior	Typical Sanctions
Rule #8: Published University Policies	
Possession of a candle or incense	<ul style="list-style-type: none">• Conduct Warning• 1 semester disciplinary probation
	<ul style="list-style-type: none">•

Typical Behavior	Typical Sanctions
Rule #2: Published University Policies	
Failure of hosts to be present during the guest's stay	<ul style="list-style-type: none"> • Conduct Warning
Rule #2: Published University Policies	
Violation of policy that occurs in a student's suite or apartment for which no one takes responsibility	<p>All students assigned to the residential space where violation was documented may be held responsible, in addition to students not assigned to the space but were present for the violation.</p>
Rule #2: 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
Rule #2: Published University Policies	
Fire inspection violation	<ul style="list-style-type: none"> • Educational Conversation to 1 semester disciplinary probation • Educational intervention(s)

Rule #2: Published University Policies

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 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 withdraw	