



CODE OF

STUDENT CONDUCT

2022–23

Division of Student Affairs Office of Student Conduct
 PO Box 6000
 Binghamton, New York 13902-6000
 607-777-6210, Fax: 607-777-2683

Letter from the Director of Student Conduct

DATE: Aug. 1, 2022
 TO: All Members of the University Community
 FROM: Jazell Johnson, Director of Student Conduct
 SUBJECT: 2022–23

As members of the Binghamton University community, students are expected to uphold its standards, which can be found in the following pages and online. It is each student’s individual responsibility to review and understand the .

A great deal of effort, research and consultation has gone into developing this document. Our aim is to present to students the policies, rules and code of conduct in clear and direct language. We will work to communicate the standards and the consequences for violating these standards

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Introduction

As a Binghamton University student, you are a valued member of the University community. Through your words and deeds you contribute to building an inclusive community in which all can live and learn in an environment of academic freedom and respect that fosters the success and honors the rights of all students.

Binghamton University is committed to developing a community that invites respectful discourse, allowing all members to express themselves in a manner that enables others to feel personally safe and emotionally secure both in and out of the classroom. Students may exercise their rights of assembly and freedom of speech in demonstrating their care and commitment to creating an inclusive campus environment. However, while hateful and disrespectful speech can also be protected by our First Amendment rights, the Binghamton University community does not condone insensitive, discriminatory or other disrespectful comments. As a student, you must understand that your words and deeds impact the University community regardless of where they occur, including the online realm. Being a Binghamton University student is both a privilege and a responsibility.

It is the responsibility of all members of the Binghamton University community to uphold the values of the institution, which are unity, identity and excellence. Students are expected to conduct themselves in a manner that supports and respects the rights of others. Accordingly, student behavior should be consistent with University policy, as well as state and federal law, at all times. Student behavior that is not consistent with these standards, whether on or off campus, may be addressed through the
in an effort to educate students, manage safety and deter behavior that negatively impacts either the individual or the community.

Section 1: Definitions

1. The term “**Administrative Agreement**” means that the respondent acknowledges responsibility for violating the code of conduct and resolves the case with a Student Conduct Administrator by agreeing to an appropriate disciplinary sanction and signing the agreement to resolve the case. Administrative Agreements are negotiable until they are signed.
2. The term “**advisor**” means any person identified by a student to support or assist them through the student conduct process. Examples of advisors include but are not limited to: a representative of the CARE Team, parents, mentors and student advocates. Refer to Section VII: Resources at the end of this document for a listing of available advisors and other resources.
3. The term “**affirmative f t**”

does not necessarily constitute consent to any other sexual act.

- b) Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - c) Consent may be initially given but withdrawn at any time.
 - d) Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs or other intoxicants may be incapacitated and therefore unable to give consent.
 - e) Consent cannot be given when it is the result of any coercion, intimidation, force or threat of harm.
 - f) When consent is withdrawn or can no longer be given, sexual activity must stop.
4. The term “**appellate board**” is a panel comprised of any persons authorized by the director of the Of

10. The term “**disorderly conduct**

participants consent to such activity or perceive the behavior as voluntary. The determination of whether a particular activity constitutes as hazing will depend upon the circumstances and context in which the activity is occurring. As a guiding principle, any activity required of new members that is not required of more senior members is likely to constitute hazing under this policy. Some examples of conduct that may constitute hazing when used to mistreat or humiliate the participant include the following:

- consumption of alcohol and/or drugs
- paddling in any form or other physical brutality
- creating excessive fatigue
- degrading or humiliating games or activities
- forced or excessive participation in physical activities
- psychological shock or abuse
- engaging in public stunts or buffoonery
- inappropriate scavenger hunts or road trips
- wearing of apparel or items likely to subject the wearer to embarrassment or ridicule
- activities that would unreasonably interfere with a student's other activities or obligations (academic, extracurricular, religious, family, etc.)
- activities that violate University policy, federal, state or local law
- any other activity devoid of legitimate educational value that subjects participants to humiliation

15. The term “**hearing board chair**” means the person designated by the director of the Office of Student Conduct to preside over a Student Conduct Board hearing.
16. The term “**informal resolution**” is voluntary and designed to provide students with a resolution that does not involve a full investigation and formal adjudication.
17. The term “**mediation**” is a voluntary process that requires mutual agreement and commitment of all involved parties. It is an alternative method to resolve conflict and is appropriate when a violation arises due to a dispute between students. It is generally reserved for first-time incidents and minor violations and conducted by a Student Conduct Administrator or designee assigned by the director of student conduct. The goal of mediation is to reach a written agreement to resolve a dispute and to prevent it from reoccurring.
18. The term “**No Contact Order**” is a written directive prohibiting contact with a protected individual, directly, through a third party and/or via electronic means. The written directive is mutual and applies both on and off campus.
19. The term “**policy**” means the written regulations of the University as found in University published documents such as, but not limited to, the _____ ; the _____ ; the University Housing License; Information Technology Services’ Computer and Network Policy; Panhellenic Council Policies and Statements; parking rules and _____ regulations; SUNY Board of

20. The term “**preponderance of the evidence**” is the standard of proof used in all cases that asks whether it is “more likely than not” that the violation occurred. If the evidence presented meets this standard, then the respondent should be found responsible.
21. The term “**rape**” is defined as the penetration, no matter how slight, of the vagina or anus with any body part or objects, or oral penetration by a sex organ of another person, without the affirmative consent of the victim.
22. The term “**reasonable person**” refers to the hypothetical person who exercises average care, skill and judgment in conduct and who serves as a comparative standard.
23. The term “**respondent**” means any student accused of violating this

24. The term “**restorative justice**” is a voluntary process that requires mutual agreement and commitment of all involved parties. It is an alternative method to resolve conflict, dispute or policy violation(s) with open dialogue that is healing and empowering to the participants. An essential requirement for restorative justice is that the person(s) of concern must acknowledge and accept responsibility for their offenses in an effort to repair harm and rebuild trust.
25. The term “**retaliation**” means adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes, but is not limited to, harassment and intimidation such as violence, threats of violence, property destruction or adverse educational or employment consequences.
26. The term “**sanction**” is a requirement or status that buterbf

officers.

41. The term “**University premises**” includes all land, buildings, facilities, OCCT buses and University-operated vehicles, and other property in the possession of, or owned, used or controlled by, the University, including adjacent streets and sidewalks.
42. The term “**weapon**” means any instrument, device or object capable of inflicting physical harm or death and designed or specifically adapted for use as a weapon, or possessed, carried or used as a weapon.

Section II: Rules of Student Conduct

The following behavior is prohibited. Students engaging, attempting to engage or assisting in the following are subject to disciplinary sanctions:

1. Consumption, possession or purchase of alcoholic beverages by any person less than the minimum age allowed by law.
2. Distribution of alcoholic beverages to anyone less than the minimum age allowed by law.
3. Possession of more than one case of beer (288 oz. or 24 12-oz. cans or bottles) or two liters of wine or two liters of distilled spirits. Possession of bulk containers of alcohol.
4. 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.
5. Distribution of marijuana, illegal drugs, prescription drugs prescribed to another person or controlled substances.
6. Theft of property or services or knowingly possessing stolen property.
7. Manufacture, sale or use of altered or another person’s documents, including those used for identification.
8. Intentionally or recklessly destroying or damaging property.
9. Endangering, threatening, causing or attempting to cause physical harm to any person or causing reasonable apprehension of such harm.
10. Stalking.
11. Harassment.
12. Sexual harassment.
13. Domestic violence or dating violence.
14. Any form of sexual violence, sexual assault and/or rape.
15. Hazing.
16. Possession of weapons, dangerous chemicals or explosives.

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 granted authorized access from the University or without

Section III: Code of Student Conduct Authority

1. Students are responsible for their conduct from the time of application for admission through the awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year. The [redacted] applies even if the student withdraws while a disciplinary matter is pending. The [redacted] also applies to those who are not officially enrolled for a particular term, but who have a continuing relationship with the University. This includes but is not limited to students enrolled through the Binghamton Advantage Program (BAP).
2. The [redacted] applies on all University premises; at off-campus instructional sites, including the University's distance learning and education-abroad programming; on board OCCT buses and University operated vehicles; and in all University-operated housing areas both on and off campus. The Guidelines for Directors of Binghamton Programs Abroad specifies conduct requirements and adjudication procedures for students participating in Binghamton University-sponsored education-abroad programs.
3. Alleged off-campus violations, with sufficient information, may be pursued in exceptional cases that endanger the personal safety or property of members of the University community or others. Action may be taken in accordance with the [redacted]. The director of the Office of Student Conduct will consult the dean of students to determine if student conduct action is warranted under these circumstances. The University will use the following criteria in deciding when to take action for violations of the [redacted] that occur off campus when there is sufficient informationum

at the discretion of the director of the Of

parties as well as the campus community.

2. Handling of Cases

a. Level I Cases

- i. Cases in which possible sanctions include a conduct warning and up to four semesters of disciplinary probation are designated as Level I cases. Information regarding sanctions can be found in the University Sanctioning Guidelines.
- ii. Level I cases are assigned to a student conduct administrator for initial inquiry, investigation and resolution. The student conduct administrator initiates the student conduct process by inviting the student to meet to discuss the allegation(s) and options for resolution.
- iii. The student conduct administrator may conduct an investigation to determine if the char

b. Level II Cases

- i. Cases in which possible sanctions include more than four semesters of disciplinary probation, final probation, suspension, expulsion or removal from University housing are designated as Level II cases. Information regarding sanctions can be found in the University Sanctioning Guidelines.
- ii. Level II cases are assigned to a student conduct administrator for initial inquiry, investigation and resolution.
- iii. Prior to meeting with the student conduct administrator, students may choose to attend a pre-hearing meeting with a staff member in the Office of Student Conduct or a representative of the CARE Team. During this meeting, the student conduct process, student rights and potential sanctions are explained. The Office of Student Conduct is located in Suite 3J of the Tuscarora Office Building in College-in-the-Woods. The office phone number is 607-777-6210. The CARE Team is located in room 207A in the University Union West. The office phone number is 607-777-2804.
- iv. The student conduct administrator may conduct an investigation to determine if the charges have merit and/or if they can be handled administratively by Administrative Agreement of the parties involved on a basis acceptable to the student conduct administrator. Prior to resolution, the respondent will be given the opportunity to review all available reports pertaining to the incident. Such resolution is final and there will be no subsequent proceedings. Students who are offered an Administrative Agreement are given the opportunity to consider the agreement before signing it. Signing the Administrative Agreement is a statement of responsibility.
- v. If the matter cannot be resolved by mutual agreement, a Level II Student Conduct Board hearing will be scheduled. The student conduct administrator is usually present at the hearing.
- vi. Student Conduct Board hearings for Level II cases are conducted in accordance with Section IV.7 below.

c. Cases involving allegations of sexual assault, sexual harassment, domestic violence, dating or sexual violence, or stalking.

Cases involving allegations of sexual assault, sexual harassment, domestic violence, dating or sexual violence, or stalking are considered Level II cases and are handled through the Level II process except as otherwise noted. Claimants have the right to request that student conduct charges be filed against the respondent. Conduct proceedings are governed by the procedures set forth in the Binghamton University as well as federal and New York state law, including the due process provisions of the United States and New York state constitutions. Participants in these cases are afforded the following additional rights in the student conduct process.

Throughout conduct proceedings, the respondent and claimant will have:

- i. The right to a prompt response to any complaint. The right to have their complaint investigated and adjudicated in an impartial, timely and thorough manner by individuals who receive annual training in conducting investigations of sexual violence; the effects of trauma; impartiality; the rights of the respondent, including the right to a presumption that the respondent is “not responsible” until a finding of responsibility is made; and other issues related to sexual assault, domestic violence, dating or sexual violence and stalking.
- ii. The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
- iii. The right to receive advance written or electronic notice of the date, time and location of any meeting or hearing they are required to or are eligible to attend. Respondents will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated and possible sanctions.
- iv. The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Code of Student Conduct.
- v. The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
- vi. The right to offer evidence during an investigation and to review available relevant evidence in the case file or otherwise held by Binghamton University.
- vii. The right to present evidence and testimony at a hearing when appropriate.
- viii. The right to a range of options for providing testimony via alternative arrangements, including telephoning or telephoning

specifically prohibited by the _____, the Office of Student Conduct will investigate and adjudicate the alleged behavior. While some incidents may require a more tailored approach, allegations covered by the _____ will be handled in this general manner:

- A. When an allegation of misconduct is received, Fraternity and Sorority Life will provide any incident report(s), rosters, contact information and documentary evidence to the Office of Student Conduct. Fraternity and Sorority Life staff members may also provide supplemental support to the investigation.
- B. The Office of Student Conduct will contact all involved students. In instances where there is an immediate concern for the well-being of involved students, some interviews may be conducted with short notice and in group settings. The Office of Student Conduct considers the chapter president to be the official representative of any organization going through the conduct process.
- C. When the conduct of an organization or its members presents a clear, present or imminent danger to the University community, the vice president for student affairs or their designee may impose an interim action. Interim actions can involve social suspension, complete chapter suspension, suspension of new member activities or other actions deemed appropriate. Notification of any interim action will be sent to the executive board of record. It will be the responsibility of the chapter leadership to notify its full membership of the chapter's interim status. Interim actions, in general, will be in place for 21 calendar days but will be extended as needed by the vice president for student affairs or their designee. Any appeal to interim action(s) must be appealed in writing within 24 hours to the vice president for student affairs and/or their designee.
- D. Depending on the nature of the incident and the relationship with the national headquarters of any organization, the Office of Fraternity and Sorority Life will notify the national headquarters of pending conduct action at a time deemed appropriate by the director of fraternity and sorority life. In any case, the national headquarters will be contacted by the Office of Fraternity and Sorority Life prior to a formal conduct charge being issued.
- E. Charged individuals and organizations may resolve conduct charges through an Administrative Agreement or a Level II Student Conduct Hearing Board. The Office of Fraternity and Sorority Life will serve as a resource to any chapter considering an Administrative Agreement or preparing for a hearing.

- F. Leading up to a student conduct hearing, the Office of Student Conduct will assemble a hearing board from its pool of trained hearing board members. All investigatory materials will be compiled into a hearing packet that will be distributed to the charged parties and the hearing board prior to the hearing.
- G. Fraternity and sorority misconduct cases will be processed through the Level II Hearing process detailed in the _____ on page (16). The chapter president will be responsible for representing the organization in a hearing.
- H. Charged parties have the right to have an advisor present during the hearing. However, the advisor cannot speak on their behalf and may not interject in the proceedings. Advisors may not be members of the organization, serve as a witness, or be a charged individual.
- I. After an admission or finding of responsibility, sanctions will be crafted in consultation with the Office of Student Conduct, the Office of Fraternity and Sorority Life, and the national headquarters of the organization. The Office of Fraternity and Sorority Life will communicate with the national headquarters in completing any sanctions imposed.
- J. Sanctions will be tailored to the nature of the violation and the individual culture of the organization and/or prior disciplinary history: typical sanctions range from organizational probation status up through loss of recognition, membership reviews, as well as educational sanctions. Chapter disciplinary status will be listed in University publications at the discretion of the director of fraternity and sorority life.
- K. At the discretion of the vice president for student affairs and/or their designee, the Office of Student Conduct may charge individual members with violations of the _____. This can be both in lieu of and in combination with organizational misconduct charges.

ii. Intercollegiate athletics

In general, for matters pertaining to academic or other administrative issues, the Office of Student Conduct will defer to intercollegiate athletics to review organizational conduct and sanction accordingly.

- A. In such instances that the alleged behavior of a team or multiple members of a team are acts of hazing or Title IX accusations, the Office of Student Conduct will investigate and adjudicate the alleged behavior.
- B. Other alleged violations will be investigated by intercollegiate athletics, the Office of Student Conduct or both. Information may be shared

between University offices.

- C. When the Office of Student Conduct is conducting the investigation, intercollegiate athletics will assist where possible including providing any incident report(s), rosters, contact information and documentary evidence to the Office of Student Conduct. Intercollegiate athletics can still take interim action as allowed in the Student-Athlete Handbook.
 - 1. After an admission or finding of responsibility, the Office of Student Conduct will craft sanctions in consultation with Intercollegiate Athletics administration. Sanctions will be tailored to the nature of the violation and/or prior disciplinary history.
- D. When intercollegiate athletics is conducting the investigation, student-athletes should refer to the Student-Athlete Handbook.
- E. The Office of Student Conduct may charge individual members with violations of the . This can be both in lieu of and in combination with organizational misconduct charges.
- F. When the conduct of an organization or its members presents a clear, present or imminent danger to the University community, the director of athletics may impose an interim action.

iii. Club sports

The Office of Student Conduct and Club Sports have a partnership based on mutual goals. In general, for matters pertaining to academic or other administrative issues covered by the University's Relationship Agreement, the Office of Student Conduct will defer to Club Sports to review organizational conduct and sanction accordingly.

In such instances that the alleged behavior of an organization and/or its member(s) is specifically prohibited by the , the Office of Student Conduct will investigate and adjudicate the alleged behavior. This includes severe acts of hazing and Title IX accusations. While some incidents may require a more tailored approach, allegations covered by the will be handled in this general manner:

- A. When an allegation of misconduct is received, the Club Sports Rules Committee and /or the senior assistant director for sports programs will provide any incident report(s), rosters, contact information, and documentary evidence to the Office of Student Conduct. Club Sports office staff members may also provide supplemental support to the investigation.
- B. The Office of Student Conduct will contact the Office of Recreational

involved students, some interviews may be conducted with short notice and in group settings. The Office of Student Conduct considers the team captain to be the official representative of any organization going through the conduct process.

C. When the conduct of an or

Timelines may vary based on the complexity of the case, number of witnesses and the nature of the academic calendar. Should the University foresee a need to exceed the 60-day guideline, it shall inform the involved parties and reasonable efforts will be made to seek timely resolution. In general, participants can expect that the investigative phase will take up to 21 days to complete. Upon conclusion of the investigation, both parties will be presented with the investigative report

j. The student char

Conduct Warning, Disciplinary Probation, Final Probation, Suspension and Expulsion are all reportable on a student's disciplinary record.

To restore community, sanctions will be appropriately tied to the offense and tailored to repair actual harm done.

3. Sanctions for incidents involving sexual harassment, sexual assault, domestic vio

Students who have a serious violation of the community standards set in the _____ 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 of visitation privileges to specific residential areas and penalty of forfeiting room and board charges for the semester in which the disciplinary action occurs.

- e. **Educational projects and community services** — These sanctions involve the completion of projects, assignments, essays, service to the University, or facilitation of or participation in programs or other related assignments.
- f. **Restitution** — Restitution may include payment to the University to cover the cost of damage, destruction, defacement, theft or unauthorized use of property.
- g. **Relocation** — Relocation is the reassignment of a student from one living space to another within University housing.
- h. **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 _____ while on final probation may be suspended or expelled from the University.
- i. **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 or designee.
- j. **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 or designee.

6. More than one of the previously listed sanctions may be imposed for any single violation.

7. Following a Student Conduct Board hearing, the board completes a summary report of its findings and recommendations and forwards it to the Office of Student Conduct. The director of student conduct certifies that the sanction(s) is(are) appropriate based on the sanctioning guidelines. The director will make adjustments as necessary to ensure that the sanction(s) is(are) appropriate.

The Office of Student Conduct forwards the final outcome to the student charged and the student conduct administrator. For cases involving sexual assault, sexual harassment, domestic violence, dating violence or stalking, both parties will be notified of the outcome simultaneously and in writing.

8. Any student found responsible for a violation of the _____ who has targeted a person or group based on factors such as perceived race, color, national origin, religion, creed,

8. The person(s) reviewing an appeal may:
 - a. Affirm the finding and the sanction imposed by the original board.
 - b. Affirm the finding and reduce, but not eliminate, the sanction, in accordance with 9.a) of this section.
 - c. Assign the case to a new hearing board in accordance with 9.b) of this section.
 - d. Dismiss the case, in accordance with 9.c) of this section.
 - e. In situations wherein an appeal is lodged by a claimant in a sexual misconduct case, the person(s) reviewing the appeal may also affirm the finding and increase the sanction.
9. Deference shall be given to the determinations of the hearing board:
 - a. Sanctions may only be reduced if found to be disproportionate to the offense.
 - b. Cases may be assigned to a new hearing board if specified procedural errors or errors in interpretation of University regulations were so substantial as to ef

- e. In accordance with NYS law and SUNY guidance, requests that pertain to cases that involve any of the crimes listed in E. (10 and 11) below are not eligible for the removal of the transcript notation.
4. Records of suspension are reported for seven years after the end of the academic year in which the matter was resolved. If the student does not graduate, the file is reported as a permanent record.
5. Students who are suspended have the following statement placed on their transcript: “Disciplinary Suspension.” The suspension notation is removed when the suspension period expires.
6. Students who have been placed on interim suspension will have a student conduct hold placed on their University records until such time as there has been a final outcome of the charges. Upon final outcome, the hold will be lifted and a suspension notation will be placed on their transcript if warranted.
7. In order to verify compliance with the Clery Act, all disciplinary referrals for major violations and alcohol and drug policy violations are retained for seven years.
8. Records of expulsion are not destroyed.
9. An official audio recording will be made of the proceedings. This recording is maintained by the Office of Student Conduct and generally will not be duplicated or released. Participants are prohibited from making their own recording during the hearing (including but not limited to audio, video, photographic and/or written recording). The respondent and reporting party may submit a written request to the Office of Student Conduct for permission to review the official audio recording.
10. Records of hearings for cases involving domestic violence, dating violence, stalking or sexual assault will be maintained for five years from the date of the hearing regardless of the outcome of the hearing. Records for students sanctioned for cases involving domestic violence, dating violence, stalking or sexual assault are retained for seven years after the end of the academic year in which the matter was resolved.
11. Notwithstanding section E. (12) below, students who are expelled have the following statement placed on their transcript: “Disciplinary Expulsion.”

Ordinarily, notation of expulsion is a permanent notation on the transcript. After seven years from the date of the expulsion, expelled students may submit a written petition to have the notation removed from their transcript. The petition is submitted to the associate vice president for student affairs or designee and must outline the reasons for the request and provide documentation of activities (work, education, etc.) since the student’s expulsion from Binghamton University.
12. In accordance with NYS law and SUNY guidance, for crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), (crimes covered under the legislation that require a transcript notation are: murder; rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson) a notation

will be placed on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the respondent who withdraws from the institution while such conduct charges are pending and declines to complete the disciplinary process, a notation will be made on the transcript that they “withdrew with conduct charges pending.” Appeals seeking removal of a transcript notation for a suspension should be submitted, in writing, to the associate vice president for student affairs or designee. Such notation shall not be removed prior to one year after conclusion of the suspension. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Section V: Interpretation and Revision

1. Any question of interpretation or application of the _____ shall be referred to the director of the Office of Student Conduct for final determination.
2. Section 356 of the Education Law of the State of New York directs councils to establish regulations governing the conduct and behavior of students. A committee of the Binghamton University Council reviews the University’s _____ each “spring, and changes are brought to the full council for ratification before the _____ is published. After ratification, these regulations are filed with the appropriate state agencies. Students are expected to refer to this publication for a better understanding of the code of standards and behavior expected of them.”

Section VI: Students’ Bill of Rights

The Students’ Bill of Rights that appears at binghamton.edu/services/title-ix is incorporated herein by reference.

Section VII: Resources

Binghamton University has many resources available on campus to provide a supportive environment enabling students to address various concerns and receive assistance. All offices listed below can provide students with on- and off-campus resource information and available reporting options. Binghamton University students will be treated with respect and dignity in each and every office. The offices listed below may be accessed by visiting the office in person, by phone or by email during traditional business hours. The University Police Department, Harpur’s Ferry and off-campus resources listed are available 24 hours a day, 7 days a week. **Important note: Email is not guaranteed to be confidential, so consider this when communicating.**

Student Conflict and Dispute Management Program

The Student Conflict and Dispute Management Program (SCDMP) can assist with issues within and among student organizations, teams, clubs, roommate disputes and interpersonal issues. Our program provides a developmental approach to resolving conflicts, offers a safe space for open dialogue and active listening, and helps students build the skills of resilience, critical thinking and empathy.

Mediation, a form of alternative dispute resolution (ADR), is a voluntary, confidential process, assisting two or more parties in resolving disputes. A trained and impartial third party (mediator) facilitates communication and assists those involved in identifying needs, clarifying issues, exploring options and negotiating an agreement. Mediation is not an option for sexual misconduct cases.

Restorative justice is a form of ADR that brings students together in small groups, empowers them to resolve conflicts and focuses on the needs of all involved. It is a non-judicial method used to deal with incidents where harm has been done to a person or a community. It focuses on repairing that harm and restoring the balance of relationships among members of the community. The first step to repair the harm involves the person who did the harm accepting responsibility, taking accountability for the harm done and showing a willingness to repair the harm.

Conflict coaching provides students with skills and strategies used to support people’s ability to engage in, manage or productively resolve conflict. Coaching can help students resolve their own conflict issues at the lowest levels, handle an active conflict in a timely way and engage another person who has not opted for formal resolution.

CONFIDENTIAL RESOURCES AVAILABLE ON CAMPUS

Confidential: Information remains with the student and the source. Source is not obligated to report to the Title IX coordinator or anyone else unless there is imminent concern for safety.

UNIVERSITY OMBUDSMAN — Provides independent, confidential, informal and impartial assistance to the campus community. The University Ombudsman assists individuals and groups in the management of conflict and the resolution of problems.

Phone: 607-777-2388
 Email: ombudsman@binghamton.edu
 Location: LS-G526
binghamton.edu/ombudsman

HARPUR’S FERRY — 24/7 student-run ambulance service that can transport students from on- and off-campus locations to a local hospital for emergency and non-emergency needs and performs any pre-hospital care as needed.

Emergency: 911 and 607-777-3333
 Email: chiefs@harpursferry.org
 Location: East Access Road
harpursferry.org

UNIVERSITY COUNSELING CENTER — Provides confidential individual and group counseling and outreach. Follow-up counseling is offered and referrals to campus or community resources, as needed.

Phone: 607-777-2772
 After-hours support: 607-777-2772 and press #2
 Location: OO-264
binghamton.edu/counseling

DECKER STUDENT HEALTH SERVICES CENTER — Provides supportive, confidential nursing, physical, emotional and psychiatric medical care. Evaluation and treatment of sexually transmitted illnesses, including HIV (with free rapid HIV testing at the DSHSC), is available.

Phone: 607-777-2221
 Location: East Access Road
binghamton.edu/health

CONFIDENTIAL RESOURCES AVAILABLE OFF CAMPUS

CRIME VICTIMS ASSISTANCE CENTER (CVAC) Provides free counseling to individuals affected by a crime, 24-hour crisis line and advocacy services.

24-hour Hotline: 607-722-4256
Text line: 607-725-8196
Location: 377 Robinson St.,
Binghamton
cvac.us

RISE, FORMERLY KNOWN AS THE SOS SHELTER Assists individuals and families who experience or are threatened with domestic violence. Shel! i ua

<p>ALCOHOL, TOBACCO AND OTHER DRUGS — The primary goal is to support students when they face questions or concerns regarding substance use.</p>	<p>Phone: 607-777-3088 Email: aodstaf@binghamton.edu Location: OO-357 binghamton.edu/hpps/atod</p>
<p>VARCC — The center is housed in a centrally located but calm, private space on campus where it provides a single place for students — or anyone — to report an incident of sexual violence.</p> <p>CVAC has a satellite location in the VARCC.</p>	<p>Phone: 607-777-3010 Email: empower@binghamton.edu Location: Old Johnson, third floor binghamton.edu/centers/varcc</p>
<p>DIVISION OF DIVERSITY, EQUITY AND INCLUSION (DDEI) — The Division of Diversity, Equity and Inclusion was created from the Binghamton University Road Map process and supports the development and implementation of diversity and inclusion initiatives that create a welcoming campus climate that exudes a fundamental respect for human diversity in all its dimensions.</p>	<p>Phone: 607-777-4775 Email: dei@binghamton.edu Location: Library South Ground, Room G548 binghamton.edu/diversity-equity-inclusion</p>
<p>BINGHAMTON SUPPORT NETWORK — Designed to help you discover resources on and off campus compiled to support your health, success and well-being. Find resources for your concern using the search bar, or check the alphabetical list of concerns.</p>	<p>binghamton.concerncenter.com</p>

Office of Student Conduct, Division of Student Affairs, Binghamton University
607-777-6210