



Community Standards

SANCTION GUIDE

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INTRODUCTION

A sanction is a requirement or status that is issued as a result of either accepting responsibility or being found responsible for violating the student code of conduct, *Community Rights and Responsibilities* (http://www.albany.edu/studentconduct/community_rights_and_responsibilities.php) or the *Title IX Grievance Policy* (<https://www.albany.edu/risk-management/policy/title-ix-grievance-new>).

Each campus conduct case is unique and therefore, it is not possible to establish a list of prescribed sanctions covering every possible violation of the *Community Rights & Responsibilities and/or the Title IX Grievance Policy*. This guide is designed to cover many, but not all possible behaviors that would violate *Community Rights & Responsibilities and/or the Title IX Grievance Policy*.

Also, this guide is designed to cover a range of sanctions that would be considered appropriate for a particular violation or behavior. Sanctions are determined on a wide variety of factors: the severity and seriousness of the violation, the violation's impact on the University and local community, the number of violations which occurred during an incident, a student's prior disciplinary history, etc. It should be noted that, a student with no prior disciplinary record may be assigned a sanction, commensurate with the violation, up to and including removal from residence, suspension or dismissal.

The sanctions outlined in this guide describe a student's disciplinary status (warnings, probations, suspension and dismissal). However, other sanctions listed in the *Community Rights & Responsibilities* can also be applied in addition to those mentioned in this guide, for example, parental notifications, educational programs, reflection or research papers, community service, etc.



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Code	Example's of Behavior	Disciplinary Warning	Disciplinary Probation	Terminal Disciplinary Probation	Removal From Residence	Suspension - Disciplinary	Dismissal - Disciplinary
1. Fire safety	Failure to Evacuate	✓					
	Tampering	✓	✓	✓	✓	✓	✓
	Creating/Causing a Fire				✓	✓	✓
	False Pull or Fire-Extinguisher Discharge		✓	✓	✓	✓	✓
2. Weapons	Possession of a Knife	✓	✓	✓	✓	✓	✓
	Possession or use of Fireworks		✓	✓	✓	✓	✓
	Possession of BB, Paintball or Airsoft Guns			✓	✓	✓	✓
	Possession of a hand gun or long gun				✓	✓	✓
	Use of any type of weapon to harass or intimidate					✓	✓
	Use of any object as a weapon					✓	✓
3. Threatening or Abusive Behavior	Verbal Altercation	✓	✓	✓	✓	✓	
	Physical Fight		✓	✓	✓	✓	✓
	Threat of Harm		✓	✓	✓	✓	✓
4. Harassment	Harassment	✓	✓	✓	✓	✓	✓
5. Intimate Partner Violence	Dating Violence or Domestic Violence	See Page 9 for Possible Sanction Outcomes					



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Code	Example's of Behavior	Disciplinary Warning	Disciplinary Probation	Terminal Disciplinary Probation	Removal From Residence	Suspension - Disciplinary	Dismissal - Disciplinary
6. Stalking	Stalking	See Page 9 for Possible Sanction Outcomes					
7. Endangerment	Preventing egress out of any area or dwelling		✓	✓	✓	✓	✓
	Exceeding occupancy capacity of a dwelling or area		✓	✓	✓	✓	✓
8. Sexual Harassment	Sexual Harassment	See Page 9-10 for Possible Sanction Outcomes					
9. Sexual Assault and Sexual Exploitation	Sexual Assault I, Sexual Assault II, and/or Sexual Exploitation	See Page 10 for Possible Sanction Outcomes					
10. Hazing	See definition in <i>Community Rights & Responsibilities</i>			✓	✓	✓	✓
11. Academic Integrity Violations	See definition in <i>Community Rights & Responsibilities</i>		✓	✓	✓	✓	✓



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12. Forgery, Fraud, Dishonesty	Altered or fraudulent Identification	✓	✓	✓			
	Purchasing and/or distribution of altered or fraudulent identification, documents, US Currency			✓	✓	✓	✓
	Providing false information	✓	✓	✓	✓	✓	✓
	Altering official documents (transcripts, US Currency, electronic records, etc.)			✓	✓	✓	✓
13. Property Damage	See definition in <i>Community Rights & Responsibilities</i>	✓	✓	✓	✓	✓	✓
14. Theft	Identity theft			✓	✓	✓	✓
	Property theft	✓	✓	✓	✓	✓	✓
15. Unauthorized Entry, Presence or Use	See definition in <i>Community Rights & Responsibilities</i>	✓	✓	✓	✓	✓	✓



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Code	Example's of Behavior	Disciplinary Warning	Disciplinary Probation	Terminal Disciplinary Probation	Removal From Residence	Suspension - Disciplinary	Dismissal - Disciplinary
See Page 10 for all Possible Sanctions Outcomes. Below are examples of certain drug violation behaviors and possible outcomes.							
16. Drugs	Possession or use of drug Paraphernalia	✓	✓	✓			
	Possession or use of Marijuana	✓	✓	✓	✓	✓	✓
	Possession or use of other controlled substances and prescription medication not prescribed to you		✓	✓	✓	✓	✓
	Distribution or Sale of any drug				✓	✓	✓
	Hospital Transport (non-Good Samaritan)		✓	✓	✓		
See Page 10 for all Possible Sanctions Outcomes. Below are examples of certain alcohol violation behaviors and possible outcomes.							
17. Alcohol	Underage Alcohol Consumption and/or Possession	✓	✓	✓	✓		
	Distribution and/or sale of alcohol to persons under the age of 21		✓	✓	✓	✓	✓
	Hospital (non-Good Samaritan)		✓	✓	✓		
	Hosting a party or gathering where alcohol is distributed		✓	✓	✓	✓	✓
	Bulk Alcohol	✓	✓	✓	✓	✓	✓
	Drinking games		✓	✓	✓	✓	
	Intoxicated and being disruptive	✓	✓	✓	✓	✓	✓
	DWI/DWAI/DUI		✓	✓	✓	✓	✓



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18. Obstruction or Disruption	See definition in Community Rights & Responsibilities	✓	✓	✓	✓	✓	✓
19. Student Group Violations	Affiliating with a group that has had its recognition revoked by the university (i.e. Unrecognized Fraternity or Sorority)			✓	✓	✓	✓
	Student Involvement Policy Violations	✓	✓	✓	✓	✓	✓
20. Non- Compliance	Not providing identification to or following directives of University, local, state, federal officials on or off campus	✓	✓	✓			
	Violation of No Contact Order, Cease & Desist, or other University Directive		✓	✓	✓	✓	✓
21. Parking and Mass Transit Services Policy Violations	See definition in Community Rights & Responsibilities	✓	✓	✓	✓	✓	✓



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22. Smoking and Tobacco	See definition in Community Rights & Responsibilities	✓	✓				
23. Residence Hall and Apartment License Violations	See Terms & Conditions of the University Residence Halls & Apartment License	✓	✓	✓	✓	✓	✓
24. Disruptive Conduct	Hosting a loud gathering or party	✓	✓	✓	✓	✓	
	Being disruptive in a classroom setting	✓	✓	✓	✓	✓	
	Indecent conduct (i.e. public urination)	✓	✓	✓			
	Noise complaints (i.e. quiet/courtesy hours)	✓	✓				
25. Information Technology Services Policy Violations	Illegal downloading and sharing of copyrighted material	✓	✓				
	Unauthorized access of another persons email, MyUAlbany, etc.			✓	✓	✓	✓



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26. Hate or Biased Related Crime	See definition in Community Rights & Responsibilities				✓	✓	✓
27. Gambling	See definition in Community Rights & Responsibilities	✓	✓	✓	✓	✓	✓
28. Abuse of the Student Conduct System	Failure to complete or comply with sanction(s)		✓	✓	✓	✓	✓
	Failure to obey the summons of a student conduct body or university official	✓	✓	✓			
29. Retaliation	See definition in Community Rights & Responsibilities		✓	✓	✓	✓	✓



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Sanction outcomes related to violations of *Community Rights and Responsibilities (CRR) Section 3* and the Title IX Grievance Policy Covered Sexual Harassment are included below:

When an individual is found responsible for **CRR (5) Intimate Partner Violence: Dating Violence or Domestic Violence** and/or **Covered Sexual Harassment (4) Dating Violence** and/or **Covered Sexual Harassment (5) Domestic Violence**, the following sanctions are available:

- a) disciplinary dismissal (expulsion)
- b) disciplinary suspension for 8, 7, 6, 5, 4, 3, 2 or 1 semester¹
- c) if suspended and re-admitted, the student is not allowed to reside in the residence halls and University apartments upon return
- d) if suspended and re-admitted, loss of privileges and/or campus restriction upon return
- e) if suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- f) mandated counseling assessment while suspended
- g) terminal Disciplinary Probation
- h) disciplinary Probation

When an individual is found responsible for **CRR (6) Stalking** and/or **Covered Sexual Harassment (6) Stalking**, the following sanctions are available:

- a) disciplinary dismissal (expulsion)
- b) disciplinary suspension for 8, 7, 6, 5, 4, 3, 2 or 1 semester
- c) if suspended and re-admitted, the student is not allowed to reside in the residence halls and University apartments upon return
- d) if suspended and re-admitted, loss of privileges and/or campus restriction upon return
- e) if suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- f) mandated counseling assessment while suspended or assigned with probation
- g) removal from residence
- h) restriction from residence halls
- i) terminal disciplinary probation
- j) disciplinary probation
- k) educational programming

When an individual is found responsible for **CRR (8) Sexual Harassment** and/or **Covered Sexual Harassment (1)** and/or **Covered Sexual Harassment (2)**, the following sanctions are available:

- a) disciplinary dismissal (expulsion)
- b) disciplinary suspension for 8, 7, 6, 5, 4, 3, 2 or 1 semester
- c) if suspended and re-admitted, the student is not allowed to reside in the residence halls and University apartments upon return
- d) if suspended and re-admitted, loss of privileges and/or campus restriction upon return
- e) if suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual

¹A semester is defined as Fall, Winter, Spring, or Summer (all summer sessions, together, are the equivalent to one semester). Each semester's dates are defined by the University's academic calendar.



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- f) mandated counseling assessment while suspended assigned with probation
- g) removal from residence
- h) restriction from residence halls
- i) terminal disciplinary probation
- j) disciplinary probation
- k) educational programming

When an individual is found responsible for **(9) Sexual Assault I, (9) Sexual Assault II** and/or **Covered Sexual Harassment (3) Sexual Assault**, the following sanctions are available.

- a) disciplinary dismissal (expulsion)
- b) disciplinary suspension for 8, 7, 6, 5, 4, 3, 2 or 1 semester
- c) if suspended and re-admitted, the student is not allowed to reside in the residence halls and University apartments upon return
- d) if suspended and re-admitted, loss of privileges and/or campus restriction upon return
- e) if suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- f) mandated counseling assessment while suspended

NOTE: In cases of Sexual Assault I and II, when an individual is found responsible, the University will impose a minimum sanction of Disciplinary Suspension.

When an individual is found responsible for **(9) Sexual Exploitation**, the following sanctions are available:

- a) disciplinary dismissal (expulsion)
- b) disciplinary suspension for 8, 7, 6, 5, 4, 3, 2 or 1 semester
- c) if suspended and re-admitted, the student is not allowed to reside in the residence halls and University apartments upon return
- d) if suspended and re-admitted, loss of privileges and/or campus restriction upon return
- e) if suspended and re-admitted and applicable, extension of restriction of contact with the reporting individual
- f) mandated counseling assessment while suspended assigned with probation
- g) removal from residence
- h) restriction from residence halls
- i) terminal disciplinary probation
- j) disciplinary probation

Sanction outcomes related to violations of *Community Rights and Responsibilities (CRR) Section 3: (16) Drugs and (17) Alcohol.*

Students who violate *Community Rights and Responsibilities (CRR) Section 3: (16) Drugs and/or (17) Alcohol*, will be given a disciplinary sanction. The sanction or resolution outcome may including: Conduct Notice, Disciplinary Warning, Disciplinary Probation, Terminal Disciplinary Probation, Removal from Residence, Residence Hall or Campus Restriction (i.e. Parking Prohibition), Disciplinary Suspension, Disciplinary Dismissal, Education Programming (i.e. Alcohol Education Program - STEPS, STEPS 2.0, STEPS-R; Community Service, Research/Reflection Paper, etc.), and/or Parental (or guardian) Notification. All students under the age of 21 who violate the Alcohol or Drug Policy receive Parent (or guardian) Notification. Information regarding the University's Good Samaritan Policy can be found at http://www.albany.edu/studentconduct/good_samaritan.php.