

12-19-1977

Student Conduct Regulations

The College at Brockport, College Senate

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R Routing #11 77-78

Resolution # 10
1977-1978

Student Conduct Regulations

TO: PRESIDENT ALBERT W. BROWN

FROM: THE FACULTY SENATE

Meeting on December 19, 1977
(Date)

RE: X I. Formal Resolution (Act of Determination)
II. Recommendation (Urging the fitness of)
III. Other (Notice, Request, Report, etc.)

SUBJECT: Student Conduct Regulations

(See attached)

Signed _____ Date Sent 1/30/78
(For the Senate)

..... Harold Greenstein, President, Faculty Senate

TO: THE FACULTY SENATE

FROM: PRESIDENT ALBERT W. BROWN

RE: I. DECISION AND ACTION TAKEN ON FORMAL RESOLUTION
a. Accepted. Effective Date _____
b. Deferred for discussion with the Faculty Senate on _____
c. Unacceptable for the reasons contained in the attached explanation
II., III. a. Received and acknowledged
b. Comment:

approved through 5/22/78 adm. trans 2/23

DISTRIBUTION: Vice Presidents: _____

Others as identified: _____

Distribution Date: _____

Signed: _____
(President of the College)

Date Received by the Senate: _____

STUDENT CONDUCT REGULATIONS
(Effective date: Spring semester 1977-78)

I. INTRODUCTION

1. Purpose, Authority, Jurisdiction

The Student Conduct Regulations, including the Campus Judicial System, are established by the SUC Brockport Council which is authorized by statute to make regulations governing the conduct and behavior of students, subject to the supervision of the Trustees. See Section 365 (4) (g) of the Education Law and Official Compilation, Title 8, Part 500, Section 500.1 Policy, Section 500.2 Standards.

The Campus Judicial System is the system of judicial policies and procedures which are used to adjudicate minor violations of the Student Conduct Regulations. Minor violations of the Student Conduct Regulations are those violations which do not warrant disciplinary separation from the College. Minor and major violations are defined more thoroughly on page 6 .

The Student Conduct Regulations, established under the local authority of the College Council for the particular needs and purposes of the SUC Brockport campus, are distinguished from The Rules and Regulations for the Maintenance of Public Order on the Premises of State Operated Institutions of the State University of New York (hereinafter referred to as Rules and Regulations). The Rules and Regulations are rules of conduct and judicial procedures relating primarily to the public nature of the institution and minimum order needed to carry out its function. These Rules and Regulations are mandated to all SUNY campuses by the Board of Trustees of the State University of New York in compliance with Section 6450 of the Education Law of the State of New York and comprise Part 535 of Chapter V of Title 8 of the Official Compilation of codes, Rules and Regulations of the State of New York. The Rules and Regulations appear on p. ___ of this Student Handbook.

Judicial Procedures at S.U.C. Brockport

Rules and Regulations for the Maintenance of Public Order on Premises of State Operated Institutions of the State University of New York (pp. 45-52 of the 1974 Student Handbook)

S.U.C. Brockport Campus Judicial System

Complaints of alleged violations of Prohibited Conduct, Section 3.

Complaints of alleged violations of Prohibited Behavior, Section II.

Residence Hall Cases

JUDICIAL OFFICER

Asst. Director Res. Life

HEARING COMMITTEE

Major Judicial Procedures (Sect. 9)

Minor Judicial Procedures of the Campus Judicial System (minor violations only)

Disciplinary action recommended

Right of Appeal by accused

College President

V.P. for Student Affairs

Any violation of the Rules and Regulations, Section 3: Prohibited Conduct (see Appendix A) is considered a major violation which could result in suspension or dismissal from the College. Strict formal judicial procedures are followed as they appear in Section 9: Notice, Hearing, and Determination of Charges (see Appendix B).

2. Procedures for Major Violations of Student Conduct Regulations

Certain violations of the College's own Student Conduct Regulations are considered major violations because they can result in suspension or dismissal from the College. Because of such possible serious consequences resulting from major violations of Student Conduct Regulations, the College has elected to use the formal judicial procedures specified in Section 9 of the Rules and Regulations. By adopting Section 9 of the Rules and Regulations for the adjudication of major violations of Student Conduct Regulations, the College is neither supplementing nor implementing the Rules and Regulations, nor is it operating under any requirements of the Rules and Regulations other than Section 9. When Section 9 is used to adjudicate major violations of the Student Conduct Regulations, reference to "these rules" in subsection (b) shall be understood to mean the Student Conduct Regulations.

In complex cases in which a student or students are charged with both major and minor violations of the Student Conduct Regulations in the same or related incidents, all such charges shall be heard under the procedures for adjudicating major violations as described.

In other complex cases in which a student or students are charged with violations of Prohibited Conduct (Section 3 of the Rules and Regulations) and, related to the same incidents, are charged with major and/or minor violations of the Student Conduct Regulations, all such charges will be heard and deliberated

in the same hearing or series of hearings by the Hearing Committee under the procedures of Section 9 of the Rules and Regulations. In its findings of fact and recommendations to the President for disposition of the charges relating to Section 3 of the Rules and Regulations the Hearing Committee will be acting as the judicial body for the Rules and Regulations as authorized in Section 9. Following the same procedures in the disposition of the charges relating to major violations of the Student Conduct Regulations, the Hearing Committee will be acting as the judicial body for the Campus Judicial System under the Student Conduct Regulations as authorized in I. 3. Although the Hearing Committee normally takes final action on charges of minor violations of the Student Conduct Regulations, its findings on such charges will be recommended to the President in these complex cases which must be considered as ^awhole, receiving consistent judicial review.

3. The Hearing Committee: judicial body for the Campus Judicial System

The judicial body for the Campus Judicial System defined under the Student Conduct Regulations shall be the Hearing Committee as established under the Rules and Regulations, Section 9 (g). When hearing charges of alleged minor violations of the Student Conduct Regulations, the Hearing Committee shall use the hearing procedures stated in the Student Conduct Regulations Campus Judicial System.

The student may request to have his/her case heard by the Campus Judicial Officer instead of the Hearing Committee.

II. PROHIBITED BEHAVIOR

The following are prohibited behaviors, violations of which are subject to disciplinary actions. The prohibited behaviors are divided into Major Violations and Minor Violations to indicate the extent of disciplinary action that normally would be taken. Violations under the Major heading normally result in Suspension or Dismissal from the College. Violations under the Minor heading have a normal disciplinary action of Conduct Probation.

Major Violations

1. All forms of dishonesty, including cheating, plagiarism, forgery or any other act of knowingly furnishing false information to the institution; alteration or use of institution documents or instruments of identification (such as an I.D. card) with intent to defraud. (old #1 expanded.)
2. Theft of or damage to College property or theft of or damage to property of a member of the institutional community on institution premises. (new)
3. Removal of books, materials, and/or equipment from a College library without following the normal check-out procedure. Students with such items in their possession or on the premises in which they live will be considered as knowingly participating in theft. Disciplinary action will follow as in matter of theft. (old #2 revised)
4. Physical abuse of any person on institution premises or at institution sponsored and supervised functions. (old #9 revised)
5. Intimidation or harassment of any person on institution premises or institution sponsored and supervised functions in a manner that threatens and/or endangers the life, health and welfare of said person. (new)
6. The possession or use on institution premises of firecrackers, explosives or any other dangerous chemicals or substances which may kill or cause injury to life and limb. Authorized possession and use of such items by the institution (such as laboratories) is provided for. (Firearms and weapons are under Rules of Public Order 3. j). (old #7 revised and expanded)
7. Setting off false fire alarms in any building on institution premises. (old #8 minor revision)
8. In regard to student actions and demonstrations that tend to endanger life, public or private property and/or violate local, state, or federal laws, each student will take the consequences of his own actions as an individual before the law and may be subject to campus judicial procedures. (old #12 revised)
9. Use, possession or distribution of illegal drugs on institution premises. Exceptions regarding marijuana are included in Minor Violations. (#17). (old #3 revised)

see existing "Categories of Misconduct Subject to Discipline on the last two pages of this draft.

10. Knowingly giving false testimony as a witness, complainant or accused person in a hearing conducted under the Student Conduct Regulations Campus Judicial System. (new)

Minor Violations

11. Violation of rules and regulations governing residence halls (those rules publicized by the Office of Residential Life in the Residence Hall Contract). (new)
12. *Loitering -- Unauthorized persons loitering in the College buildings or on campus grounds may be subject to a charge of loitering.

Under Section 240.35 of the Penal Law, a person is guilty of loitering when he loiters or remains in or about a college building or grounds, not having any reason or relationship involving custody of, or responsibility for, a student or any other specific, legitimate reason for being there and not having written permission from anyone authorized to grant the same. In terms of enforcement of this law, it should be noted that other regulations require students to present identification cards upon request of College personnel, require registration of guests who will be on campus overnight, and require prior written permission of the Vice President for Student Affairs for solicitations or selling on campus. While all College personnel are expected to be aware of the law and to assist in its enforcement, it is customary to ask Public Safety to question a suspected loiterer and the Public Safety Officers will then call area police if necessary. (old #4 same)

13. Students may not advertise, solicit, or sell on campus without prior written permission from the Vice President for Student Affairs. (old #5 revised)
14. Disorderly conduct or obscene conduct or expression (as defined by New York Penal Law) on campus or at institution sponsored functions. (old #10 revised)
15. Failure to comply with directions of College officials acting in performance of their duties. (#11 abbreviated)
16. Students are required to carry their identification cards at all times and are required to produce them upon request of College personnel. Identification cards are not transferable and any transfer of an I.D. card subjects both parties to a charge of violations of Student Conduct Regulation #1. (transferred and revised from p. 38)
17. Possession or use of marijuana in a quantity up to 25 grams as a first offense.
18. Use, possession or sale of alcoholic beverages on institution premises other than in authorized areas, without the permission of appropriate

* Reference is made elsewhere to the application of this regulation to non-students.

offices of the institution. Details of College policy on use of alcohol on campus are found on p. 37. (new)

There are two conditions under which prohibited behavior normally considered a Minor Violation would become a charge of Major Violation:

1. If a Minor Violation is committed by a student who is on Conduct Probation.
2. The current charge or charges are of such a serious and compounded nature and/or the student has an accumulated record of official disciplinary action that the current charge exceeds the normal bounds of a simple first offense. If the Hearing Committee finds the student guilty of the current charges, the Vice President for Student Affairs or the Judicial Officer must present to the Hearing Committee reasons why suspension or dismissal are appropriate disciplinary actions.

III. RANGE OF DISCIPLINARY ACTIONS

The range of possible disciplinary actions which may be taken in Major or Minor Violations of the Student Conduct Regulations is:

- a. Reprimand or Warning:
Notice that continuation or repetition of violations may be cause for more severe disciplinary action. The actions cited in b, c, and d below may be taken additionally.
- b. Denial or Restriction of the Use of College Facilities:
Official notice of denial or restriction of the use of the facilities on campus or campus sponsored premises. Residence hall room changes or removal therefrom may be recommended to the Vice President for Student Affairs.
- c. Restitution:
Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
- d. Social Restriction:
Restriction of participation in College sponsored activities for a specified period of time.
- e. Conduct Probation:
Status of student is probationary during a set period of time and further violation of recognized rules and regulations may warrant suspension or expulsion from the College, in some cases immediate suspension pending hearing. As conditions of Conduct Probation, the disciplinary actions cited in b, c, and d above may be applied. Other conditions of Conduct Probation may include referral to services of the College which can help student with problems related to the behavior incident.

In certain cases a Student Affairs staff member may be designated as a probation advisor to the student. The student will consult with the probation advisor on an arranged schedule to report his compliance with the terms of probation and to receive any assistance he may require. The Hearing Committee Chairperson and the Judicial Officer will jointly determine whom to request to be probation advisor.
- f. Suspension (Major Violations only)
The student's status in the College is terminated temporarily for a specified period of time. He is restricted from access to campus premises except by written permission of the Vice President for Student Affairs.

- g. Dismissal from College (Major Violations only)
This is the most serious disciplinary action that can be taken. The student's status in the College is terminated and he is permanently separated from the College. He is restricted from access to campus premises except by written permission of the Vice President for Student Affairs.

IV. STUDENTS' DUE PROCESS RIGHTS

Students are provided the following due process rights in proceedings involving minor violations under the Campus Judicial System:

1. The right to receive charges in writing at least five weekdays in advance of the hearing.
2. The right to request that the case be heard privately by the Judicial Officer of the College.
3. The right to respond to charges against him/her and to question his/her accuser and any witnesses in the hearing. The accused student's absence from the hearing without legitimate reasons shall not prevent the hearing from proceeding as scheduled. The student must give reasons for his/her absence in advance of the hearing to the Judicial Officer.
4. The right to have representatives of his/^{her} choice present with him/her at the hearing.
5. The right to request a closed hearing. Otherwise there may be present at the hearing: the student charged and his representatives and witnesses; other witnesses; representatives of the institutional administration; and such other members of the institutional community or other persons, or both, as may be admitted by the Hearing Committee.
6. The right to appeal a judicial decision to the Vice President for Student Affairs. Appeals must be made no later than 10 days from the date of the letter to the student transmitting the judicial decision. Appeals may be made only on one or more of the following grounds: improper judicial procedures, new evidence, and/or unreasonable disciplinary action.

V. THE JUDICIAL OFFICER

The Judicial Officer for adjudication of minor violations in the Campus Judicial System will be appointed by the Vice President for Student Affairs. (In the case of major violations, in accord with Section 9 (b) of the Rules and Regulations, the chief administrative officer of the College has the prerogative to designate a person to investigate complaints and follow through with judicial procedures).

In the pre-hearing procedures for minor violations the Judicial Officer will receive complaints, investigate the complaints as needed, and prepare charges to be brought before the Hearing Committee. The Judicial Officer will present charges to the accused student (s) and inform such student (s) of their due process rights (Section IV, above), the time, place, and general procedures of the hearing before the Hearing Committee.

The Judicial Officer may hear a case and determine disciplinary action when requested by the accused student.

In the hearing the Judicial Officer will present charges, witnesses, and other evidence needed to support the charges. At the time the Hearing Committee determines disciplinary action for students found guilty, the Judicial Officer will present any previous disciplinary action on the student's record.

In the post-hearing procedures the Judicial Officer will transmit in writing to the student the findings of the Hearing Committee, written and signed by the Chairperson of the Hearing Committee. He will describe the nature of the disciplinary action and the status of the disciplinary action in College records. The Judicial Officer will also implement conditions of disciplinary action such as collection of restitution and referrals to services. The Judicial Officer will maintain for the Hearing Committee a record of its

decisions, deleting names of students involved. This anonymous record will provide the Hearing Committee a history of its decisions to provide some continuity over time.

VI. HEARING PROCEDURES

In the case of minor violations which cannot result in the student being separated from the College, the ultimate goal of judicial proceedings is that guilty students will understand the seriousness of their actions and will have the discipline to prevent further offenses. With a positive and preventative emphasis on measures that enable the student to remain in the College, the hearing procedures should be informal, minimizing the adversary approach as much as possible. Hearing procedures are outlined below for the sake of order and fair play in an informal atmosphere.

1. Preliminary Procedures

- a. The accused student (s) and complainant (s) will be introduced to the Hearing Committee. The accused student (s) will be asked to introduce any representatives they have brought with them. The accused student (s) will be asked if they request a closed hearing.
- b. Any Hearing Committee member who feels he^{she} cannot objectively hear the case because of his/her acquaintance with the parties or the incident involved may withdraw from the Board. The accused or the complainant may present cause why any Board member cannot objectively hear the case. By a majority vote the Board may determine whether or not that member should withdraw from hearing the case.

2. Plea

The charges will be read and the accused will be asked for his or her plea to the charges.

3. Testimony

- a. In complex cases where several students are charged with violations relating to the same incident, the Hearing Committee will determine whether the accused parties will be heard together, individually or in other combinations.
- b. With the accuser, the accused and his representative present, the Chair will allow presentation of statements and other evidence, including witnesses, which support the charges. He/she will also allow statements, evidence, and witnesses presented by the accused to support a "not guilty" plea. The chair will moderate discussion.
- c. In the case of a "guilty" plea, statements may be presented regarding the circumstances so as to determine appropriate disciplinary action.

4. Determining Disciplinary Action

If the accused is found guilty, in order to determine appropriate disciplinary action in the present case the Hearing Committee will consider records and/or statements from Student Affairs staff who have taken previous disciplinary action. The student and his representative will be present when the review of previous disciplinary action takes place.

Although disciplinary action must be applied to the particulars of each case, the Hearing Committee's action in similar cases should be considered when deliberating on the appropriate action for the current case.

Immediately after the Hearing Committee has reached a decision on disciplinary action, the Chairperson, in the presence of the whole Committee, will so inform the student and will explain the rationale for the Committee's action.

5. Minutes of Hearings

Minutes will be kept of the general proceedings of hearings. The minutes will include the findings of the Hearing Committee, the disciplinary action taken, if any, and the rationale for the decision.

APPENDIX A

(Taken from Rules and Regulations for Maintenance of Public Order on Premises of State-operated Institutions of the State of New York)

3. Prohibited Conduct. No person, either singly or in concert with others, shall:

(a) Wilfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do or to do any act which he has a lawful right not to do.

(b) Physically restrain or detain any other person, nor remove such person from any place where he is authorized to remain.

(c) Wilfully damage or destroy property of the institution or under its jurisdiction nor remove or use such property without authorization.

(d) Without permission, express or implied, enter into any private office of an administrative officer, member of the faculty or staff member.

(e) Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.

(f) Without authorization, remain in any building or facility after it is normally closed.

(g) Refuse to leave any building or facility after being required to do so by an authorized administrative officer.

(h) Obstruct the free movement of persons and vehicles in any place to which these rules apply.

(i) Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his views, including invited speakers.

(j) Knowingly have in his possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the chief administrative officer whether or not a license to possess the same has been issued to such person.

(k) Wilfully incite others, to commit any of the acts herein prohibited with specific intent to procure them to do so.

APPENDIX B

(Taken from Rules and Regulations for Maintenance of
Public Order on Premises of State-operated Institutions
of the State of New York)

9. Notice, Hearing and Determination of Charges Against Students.

(a) The term "chief administrative officer," as used in these rules, shall be deemed to mean and include any person authorized to exercise the powers of that office during a vacancy therein or during the absence or disability of the incumbent.

(b) Whenever a complaint is made to the chief administrative officer of any state-operated institution of the State University of New York of a violation by a student or students of these rules or of the rules of any individual institution supplementing or implementing these rules, or whenever he has knowledge that such a violation may have occurred, he shall cause an investigation to be made and the statements of the complainants, if any, and of other persons having knowledge of the facts reduced to writing. If he is satisfied from such investigation and statements that there is reasonable ground to believe that there has been such a violation he shall prepare or cause to be prepared charges against the student or students alleged to have committed such violation which shall state the provision prescribing the offense and shall specify the ultimate facts alleged to constitute such offense.

(c) Such charges shall be in writing and shall be served on the student or students named therein by delivering the same to him or them personally, if possible, or, if not, by mailing a copy of such charges by registered mail to such student or students at his or their usual place or places of abode while attending college and also to his or their home address or addresses, if different.

(d) The notice of charges so served shall fix a date for hearing thereon not less than ten nor more than fifteen days from the date of service which shall be the date of mailing where necessary to effect service by mail. Failure to appear in response to the charges on the date fixed for hearing, unless there has been a continuance for good cause shown, shall be deemed to be an admission of the facts stated in such charges and shall warrant such action as may then be appropriate thereon. Before taking such action the Hearing Committee, hereinafter referred to, shall give notice to any student, who has failed to appear, in the manner prescribed in paragraph (c) of its proposed findings and recommendations to be submitted to the chief administrative officer and shall so submit such findings and recommendations ten days thereafter unless the student has meanwhile shown good cause for his failure to appear, in which case a date for hearing shall be fixed.

(e) Upon demand at any time before or at the hearing the student charged or his representative, duly designated, shall be furnished a copy of the statements taken by the chief administrative officer in relation to such charges and with

APPENDIX B (continued)

the names of any other witnesses who will be produced at the hearing in support of the charges, provided, however, that this shall not preclude the testimony of witnesses who were unknown at the time of such demand.

(f) The chief administrative officer may, upon the service of charges, suspend the student named therein, pending the hearing and determination thereof, whenever, in his judgment, the continued presence of such student would constitute a clear danger to himself or to the safety of persons or property on the premises of the institution or would pose an immediate threat of disruptive interference with the normal conduct of the institution's activities and functions, provided, however, that the chief administrative officer shall grant an immediate hearing on request of any student so suspended with respect to the basis for such suspension.

(g) There shall be constituted at each state-operated institution a Hearing Committee to hear charges against students of violation of these rules or of the rules of any individual institution supplementing or implementing these rules. Such committee shall consist of three members of the administrative staff and three members of the faculty, designated by the chief administrative officer, and three students who shall be designated by the members named by the chief administrative officer. Each such member shall serve until his successor or replacement has been designated. No member of the committee shall serve in any case where he is or has been directly involved in the events upon which the charges are based. In order to provide for cases where there may be such a disqualification and for cases of absence or disability, the chief administrative officer shall designate an alternate member of the administrative staff and an alternate member of the faculty, and his principal designee shall designate an alternate student member, to serve in such cases. Any five members of the committee may conduct hearings and make findings and recommendations as herein provided.

At any institution where the chief administrative officer determines that the number of hearings which will be required to be held is, or may be, so great that they cannot otherwise be disposed of with reasonable speed, he may determine that the Hearing Committee shall consist of six members of the administrative staff and six members of the faculty to be designated by him and of six students who shall be designated by the members so designated by him. In such event the chief administrative officer shall designate one of such members as chairman who may divide the membership of the committee into three divisions each to consist of two members of the administrative staff, two faculty members and two students and may assign charges among such divisions for hearing. Any four members of each such division may conduct hearings and make recommendations as hereinafter provided.

(h) The Hearing Committee shall not be bound by technical rules of evidence but may hear or receive any testimony or evidence which is relevant and material to the issues presented by the charges and which will contribute to a full and fair consideration thereof and determination thereon. A student against whom the charges are made may appear by and with representatives of his choice. He may confront and examine witnesses against him and may produce witnesses and documentary evidence in his own behalf. There may be present at the hearing: the student charged and his representatives and witnesses; other witnesses; representatives of the institutional administration; and unless the student shall request a closed hearing, such other members of the institutional community or other persons, or both, as may be admitted by the Hearing Committee. A transcript of the proceedings shall be made.

(i) Within twenty days after the close of a hearing the Hearing Committee shall submit a report of its findings of fact and recommendations for disposition of the charges to the chief administrative officer, together with a transcript of the proceedings and shall at the same time transmit a copy of its report to the student concerned or his representative. Within ten days thereafter the chief administrative officer shall make his determination thereon. Final authority to dismiss the charges or to determine the guilt of those against whom they are made and to expel, suspend or otherwise discipline them shall be vested in the chief administrative officer. If he shall reject the findings of the Hearing Committee in whole or in part he shall make new findings which must be based on substantial evidence in the record and shall include them in the notice of his final determination which shall be served upon the student or students with respect to whom it is made.

Existing "Categories of Misconduct Subject to Discipline"
as they appear in the 1974 Student Handbook

**CATEGORIES OF MISCONDUCT SUBJECT
TO DISCIPLINE**

1. Academic Honesty — The development of intelligence and strengthening of moral responsibility are two of the most important aims of education. Essential to the accomplishment of these purposes is the duty of the student to perform all his required work without illegal help. Cheating on examinations and plagiarism are acts of dishonesty for which the penalty may be expulsion from the College.

2. Removal of books and materials from a College library without following the normal check-out procedure will be considered as having participated in theft. Students with such material and books in their possession or on the premises in which they live will be considered as knowingly participating in the use of stolen materials. Disciplinary action will follow as in matters of theft.

3. Drugs — Purchase without prescription, including any narcotic or barbiturate drugs and most so-called "pep-pills" and tranquilizers is contrary to Federal and State laws. Any student found to be in possession of illegal drugs will be reported to the appropriate authorities and may also be subject to disciplinary action by the College.

The College, as provided within the current State and Federal laws, cannot prevent federal, state, or local officials of law enforcement agencies from their investigation and prosecution of drug law violators. The College will cooperate with local or state authorities on any cases of suspected illegal use, possession or distribution of State controlled drugs.

4. Loitering — Unauthorized persons loitering in the College buildings or on campus grounds may be subject to a charge of loitering.

Under Section 240.35 of the Penal Law, a person is guilty of loitering when he loiters or remains in or about a college building or grounds, not having any reason or relationship involving custody of, or responsibility for, a student or any other specific, legitimate reason for being there and not having written permission from anyone authorized to grant the same. In terms of enforcement of this law, it should be noted that other regulations require students to present identification cards upon request of College personnel, require registration of guests who will be on campus overnight, and require prior written permission of the Vice-President for Student Affairs for solicitations or selling on the campus. While all College personnel are expected to be aware of the law and to assist in its enforcement, it is customary to ask Campus Security to question a suspected loiterer and the security personnel will then call area police if necessary.

5. Soliciting — Individuals or groups not affiliated with the College may not advertise, solicit, or sell on campus without prior written permission from the Vice President for Student Affairs.

(continued)

6. Identification cards used illegally will be confiscated and violators (owners and possessors) will be subject to disciplinary action.
7. The possession or use of firearms, firecrackers, or other explosive devices of any description for any purpose is prohibited on the campus, at student or College functions or in any student residences.
8. Students found guilty of turning in false alarms will be subject to immediate dismissal from College.
9. Physical abuse of any person on College owned or controlled property or at College sponsored or supervised functions or conduct which threatens or endangers the health or safety of any such person is subject to suspension or dismissal from College.
10. Disorderly conduct or lewd, indecent, or obscene conduct or expression on College-owned or -controlled property or at College sponsored or supervised functions will be referred to Student Courts and/or the Hearing Committee.
11. Failure to comply with directions of College officials acting in performance of their duties will result in disciplinary action by the College.
12. In regard to student actions and demonstrations that tend to endanger life, public or private property or violate local, state, or federal laws each student will take the consequences of his own actions as an individual before the law, as well as being referred to the BSG Judicial Court and/or Hearing Committee. Any damages to public or private property must be assumed by those legally responsible.
13. Students tried and convicted in a court of law of a misdemeanor or higher crime may be separated from the College.