Types of Violations

Type A Behaviors

Type A behaviors are those which primarily affect an individual or, if others are involved, are unintentional and non-malicious. Such behaviors are most likely to be addressed in ways not formally connected with the student disciplinary system. Mediation, counseling referrals, restitution with no disciplinary action, and/or educational conversations with an administrator that do not affect a student’s disciplinary status are some of the actions most likely to be employed.

It is also possible that Type A behaviors are those that would be considered relatively minor violations of the Code of Conduct, particularly if they are actions that have some impact on the community and the individual, but have not caused serious harm or been detrimental to the community in significant ways. If they occur in the residence halls, and it is the first time a student has been involved in such an incident, these behaviors are most likely to result in the student having an administrative pre-hearing with an Area Coordinator. Under some circumstances the more informal actions described above may be appropriate, but that decision is at the discretion of the Director of Residence Life and the Dean of Students. Likely sanctions are described as Level 1 sanctions (see below).

Type A behaviors may include, but are not limited to, the following:

- Unintentional false fire alarm
- Posting policy violation
- Solicitation policy violation
- Quiet hours violation
- Violation of parking regulations
- Attempt at self-injury (dependent on circumstances and determined in conjunction with counseling staff)
- Damage to College property (relatively minor and unintentional)
- Damage to another person’s personal property (relatively minor and unintentional)
- Drinking underage
- Giving ID card/residence hall key to another student
- Theft of college property (relatively minor)
- Illegal file sharing
- Violation of residence hall regulations
- Hosting small party with underage drinking
- Refusing to comply with College employees
- Disorderly conduct
- Public intoxication/disruptive behavior
**Type B Behaviors**

Type B behaviors include repeated or more serious instances of Type A behaviors. In addition, these behaviors tend to have a greater impact on the community as well as broader implications for the individual, resulting in a more significant violation of the Code of Student Conduct. While it is possible that these kinds of cases may be heard by an Area Coordinator, it is also likely that they will be referred to the Residence Hall Conduct Board or the Director of Residence Life for action if they occur in the residence halls. Likely sanctions are described as Level 2 sanctions (see below). Type B behaviors may include, but are not limited to, the following kinds of behavior:

- Repeated or more serious instances of **Type A behaviors**
- Fighting when the fight is mutual
- Sexual harassment
- Verbally abusing another person
- Engaging in behaviors that target individuals and/or groups in harmful ways based on race/ethnicity, sexual orientation, etc.
- Harassing another person (calls, emails, in-person confrontations)
- Lewd behavior
- Tampering with fire equipment
- Damage to College property (intentional or accidental)
- Damage to another person’s personal property (accidental or intentional)
- Drinking underage
- Providing alcohol to underage students
- Hosting parties of any size with underage drinking
- Marijuana possession (personal use)
- Marijuana use
- Possession of drug paraphernalia
- Giving ID card to another student or to a non-student
- Theft of college property or another person’s property – minor
- Disrupting a College class, event or activity
- Violation of traffic regulations
- Illegal file sharing
- Violating residence hall regulations
- Illegal entry
- Preventing College personnel from doing their jobs

**Type C Behaviors**

Type C behaviors are more serious violations of the Code of Student Conduct. They include repeated and/or more serious instances of actions described as Type B behaviors; in addition, these behaviors are more intentional, malicious and/or have a greater likelihood of causing harm. These cases may be heard by the Residence Hall Conduct Board, but are also likely to result in an administrative pre-hearing and hearing with the Dean of Students. Likely sanctions are
described as Level 3 sanctions (see below). Behavior that would be considered Type C behaviors would include, but are not limited to:

- **Repeated or more serious instances of Type B behavior**
- Hitting or hurting another person with no physical provocation
- Having nonconsensual sexual contact with another person
- Verbally abusing another person
- Drinking/using drugs requiring medical intervention
- Hazing
- Possessing a weapon
- Displaying a weapon
- Tampering with fire equipment
- Pulling a fire alarm falsely
- Damage to College property (intentional)
- Damage to another person’s personal property (intentional or accidental)
- Providing alcohol to underage students
- Hosting parties of any size with underage drinking
- Giving ID card/residence hall key to another student or a non-student
- Other drug possession
- Theft of college property – major
- Theft of another person’s property – major or minor
- Selling marijuana
- Belligerent/abusive behavior
- Plagiarism
- Cheating on a quiz or exam
- Selling papers or answers to exams
- Disrupting a College class, event or activity
- Forging a College employee’s signature
- Embezzling funds

**Type D Behaviors**

Type D behaviors are actions that would be considered the most major violations of the Code of Student Conduct. These include repeated and/or more serious instances of actions described as Type C behaviors, but also are individual actions that are particularly egregious and are of most concern for the community. Type D behaviors will always be heard by the Dean of Students or his/her designee. Likely sanctions are described as Level 4 sanctions (see below). Behaviors that would be considered Type D behaviors include, but are not limited to:

- **Repeated or more serious instances of Type C behaviors**
- Having nonconsensual sexual contact with another person
- Rape or attempted rape
- Drugging another person’s drink
- Threatening others with a weapon
- Using a weapon
- Selling drugs
- Setting/causing fire
- Attempt at self-injury (dependent on circumstances and determined in conjunction with counseling staff)

**Sanction Levels**

**Level 1**

Behavior resulting in Level 1 sanctions tends to be relatively minor in nature, with the primary concern being for the individual. The goals of these sanctions are mostly to educate the student regarding the inappropriateness of their behavior, resolve issues that may have resulted in problematic behavior, and restore ties to other members of the community. Generally, Level 1 sanctions include:

- Letters of warning/disciplinary reprimand
- Educational sanction
- Restitution
- Letters of apology
- Mediation
- Community service (relatively small number of hours able to be completed in a month)

**Level 2**

Those sanctions used at Level 2 include any of the sanctions described in Level 1. In addition to concerns for the student involved, these sanctions begin to weigh more heavily the impact of the student’s behavior on the community. The focus of the disciplinary system becomes one of concern for the continued membership of the student with the community. Sanctions imposed attempt to correct the behavior and prevent further violations. While sanctions described in Level 1 may be utilized at this level, additional sanctions likely to result at this level include the following:

- Disciplinary probation
- Residential probation
- Educational sanctions
- Community service (significant number of hours)
- Restitution
- Mediation
- Restrictions (residential, visitation, parking/driving, contact, etc.)
- Residential relocation
- Counseling
- Letters of apology
• Behavioral contract

**Level 3**

This level of sanctioning addresses behavior which is of an elevated concern regarding the individual and may signify behavior considered to pose a threat to the campus community and/or the individual. The focus of the disciplinary system is to attempt to balance the education of the student with the protection of the College community. While many of the sanctions described in Level 2 may apply, additional sanctions likely to result at this level include the following:

• Social probation
• Residential relocation
• Residential suspension
• Educational sanctions
• Community service (significant number of hours)
• Restitution
• Counseling
• Restrictions (residential, visitation, parking/driving, contact, etc.)
• Behavioral contract

**Level 4**

At this level, the primary focus of the disciplinary system becomes one of concern for the safety and quality of life of the College community rather than the individual. It is likely that this means an individual is no longer able to continue as a member of the Utica College community. While some sanctions described in Levels 2 and 3 may be imposed, the following sanctions are likely to result:

• Suspension from Utica College for a specified period of time, likely to include conditions for return
• Ban from Utica College campus
• Expulsion from Utica College