



HOBART AND WILLIAM SMITH  
COLLEGES

Handbook of  
**Community Standards**

2019-2020



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A fully navigable PDF version of the *Community Standards*, including the ability to search and find, can be found online at the Hobart and William Smith Colleges' Campus Life website (<http://www.hws.edu/studentlife/>)



# ***An Introduction to the Community Standards***

## **I) PREAMBLE**

To enter the Hobart and William Smith Colleges' community is to accept an invitation to participate in a student centered learning environment which is globally focused and grounded in the values of equity and service. The choice to enter this community implies a commitment to engage in an open dialogue about basic human questions fundamental to a liberal arts education in the twenty-first century, and to maintain an environment in which that dialogue may occur. Respect for the dignity, integrity, well-being, and property of all members is essential to the maintenance of and membership in the community.

The Community Standards is designed to foster and maintain a community in which the mission of the Colleges may be achieved. The opportunity to participate in this community requires all members to accept individual responsibilities. By voluntarily choosing to affiliate with the Hobart and William Smith Colleges, students indicate knowledge and acceptance of the responsibilities outlined in the Community Standards. This document outlines specific expectations of student behavior, a code of student conduct, and incorporates all of the policies, procedures, and regulations at the Colleges.

## **II) HOBART & WILLIAM SMITH COLLEGES MISSION STATEMENT**

Hobart and William Smith Colleges are a student-centered learning environment, globally focused, grounded in the values of equity and service, developing citizens who will lead in the 21st century. The Colleges are committed to cultivating global understanding, encouraging study abroad opportunities, and encouraging community service and service-learning.

In maintaining this environment, the Colleges create opportunities to engage faculty and students with other languages and diverse cultures. The majority of students participate in a study abroad experience during their four years. These experiences enhance what takes place on campus in the academic and social lives of students and it also allows the community to delve into the broader intellectual world.

The academic program at Hobart and William Smith Colleges keeps this highly interactive environment alive. The academic program is set apart from peer institutions in terms of excellence and opportunity. Education takes place not only inside well-taught classes, but also outside in well-run off-campus programs and well-conceived service projects. The Colleges view civic responsibility, community engagement, and international education as integral components of a liberal arts education. This rigorous academic program challenges students' minds while expanding their horizons to new worlds.

## **III) STATEMENT OF COMMUNITY PRINCIPLES**

### **A) *Respect for Persons and for Property***

Hobart and William Smith Colleges take pride in a community that nurtures the growth and development of leaders marked by integrity, propriety, and decency displayed toward themselves and toward others. Members of the HWS community are expected at all times to demonstrate respect for themselves and for others. This respect includes a responsibility to show sensitivity to differences and act justly in interactions with one another. All members of the community are entitled to and responsible for maintaining an environment of civility that is free from disparagement, intimidation, harassment and violence of any kind. Members of the HWS community are expected to respect property of the Colleges, the private property of other members of the community, and the property of the larger neighborhood in which we live.

### **B) *Freedom of Expression and Participation***

Fundamental to its existence as an academic institution in the liberal arts tradition, Hobart and William Smith Colleges foster an environment in which all ideas can be reasonably proposed and critically examined. The Colleges recognize that the free exchange of ideas and expression may produce conflict. This exchange is an important element in the pursuit of knowledge. Implicit in the pursuit of this exchange is the privilege to dissent and demonstrate in a peaceful and non-disruptive manner without unreasonable

obstruction or hindrance. The Colleges expect that those who enjoy this privilege also accept the responsibility for their actions and for maintaining order. The Colleges also recognize the rights of those who desire not to protest and who wish to continue to participate in the normal activities of the Colleges.

**C) *Intellectual Responsibility***

Hobart and William Smith Colleges espouse the ideal of academic excellence through active learning. All members of the community have responsibilities for and rights to learning, teaching, and scholarship. Within our community, teaching and learning occur in an atmosphere of reasoned discourse, intellectual honesty, mutual respect, and openness to constructive change. All members of the community are responsible for recognizing and actively avoiding violations of academic integrity, such as cheating, plagiarizing, and stealing another's work.

**IV) NON-DISCRIMINATION STATEMENT**

Hobart and William Smith Colleges are committed to providing a non-discriminatory and harassment-free educational, living, and working environment for all members of the HWS community, including students, faculty, staff, volunteers, and visitors. HWS prohibits discrimination and harassment in their programs and activities on the basis of race, color, sex, pregnancy, religion, creed, national origin, familial status, disability, age, marital status, sexual orientation, gender, gender identity, gender expression, veteran status, military status, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other protected category under applicable local, state, or federal law.

Discrimination on the basis of sex includes Sexual or Gender-based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Physical Assault, Stalking, and Retaliation, as defined in the Colleges' Sexual Misconduct Policy.

**Specific policies and procedures related to the reporting, investigating, and processing of complaints of discrimination are set forth in the following two documents: (1) Non-Discrimination Policy and Grievance Procedure; and (2) Sexual Misconduct Policy.**

# *Academic Policies*

## I) COURSE CATALOGUE

The Hobart and William Smith Colleges' *Catalogue* is prepared for the benefit of students, faculty, and administrators of the Colleges. It is the primary reference for the information about the curriculum, academic policies, majors and minors, and courses. As academic achievement is a foundational component to the community, the academic policies in this section are excerpted from the *Catalogue* as part of the Community Standards. For the most up-to-date information available, view the *Catalogue* online, <http://www.hws.edu/catalogue/>.

**Academic Policies distributed within the *Catalogue* supersede the excerpted material below. The information below is for reference purposes only.**

## II) INTRODUCTION TO ACADEMIC POLICIES

The faculty of Hobart and William Smith Colleges has oversight of the curriculum and the classroom experience, and insists that students undertake all academic exercises with the utmost honesty and integrity. This principle of academic integrity lies at the heart of our learning community and forms the foundation for everyone's academic efforts. Starting with adherence to the principle of academic integrity, the individual student bears responsibility for his or her own education and must undertake all academic work with complete honesty and integrity. As well, each student must do his or her best to assure that this principle extends to all others in the community. Categories of academic work covered by the principle of academic integrity include, but are not limited to, the following:

- Examinations: Giving or receiving assistance during an in-class or take-home examination, quiz, or any other academic exercise, except as specifically authorized by an individual course instructor, violates this principle.
- Papers: The presentation or reproduction of ideas, words, or statements of another person as one's own, without due acknowledgment, is considered plagiarism and violates this principle.
- Library Use: Failure to sign for materials taken from the library, destruction or theft of any library materials, and similar abuses of library privileges infringe upon the rights of other students to fair and equal access and violate this principle.
- Reports and Laboratory Exercises: Giving or receiving unauthorized assistance and the fabrication of data or research results violate this principle.
- Computer Use: Any deliberate attempt to prevent other users' access to computer services, deprive them of resources, or degrade system performance violates this principle. The use of programs or files of another computer user or the use of another person's account number or password without permission also violates this principle. Failure to attribute the source for any information or writing derived from any computer source (database, website, internet, etc.) and incorporated in any academic work submitted is also a violation.
- Advising and Registration Forms: Forging an adviser's signature or altering any signed document will result in the student's de-registration. The student will not be allowed to re-register until the adviser has approved any changes. Any student suspected of forgery of any faculty or administrator signature may face disciplinary action by the student's dean or the Committee on Standards, a faculty, student, and administrative committee charged with enforcing the academic and behavioral expectations of the Colleges' community (for more information about the Committee on Standards, please review the Disciplinary Process section, Hearing Bodies of the Community Standards).

Academic dishonesty is determined in every case by the evidence presented and not by intent. Questions of intent and circumstances under which an infraction occurred may be considered in determining a sanction. For more information on plagiarism, please see "Plagiarism Defined" at the end of this chapter.

## III) COURSE CREDIT FOR NON-HWS LEARNING EXPERIENCES

- A) Advanced Placement

Admitted students who have achieved a score of four or five on an Advanced Placement (AP) test may receive course credit toward graduation in accordance with published guidelines of The College Board. In most programs, advanced placement examinations covering a semester's work receive one course credit; examinations covering a full year's work are given two course credits. Advanced placement scores of four or five may also be considered for placement purposes by the appropriate department or program at Hobart and William Smith Colleges. Application of advanced placement work toward major or minor requirements requires approval from the department or program chair. Approval of AP course credits as equivalents for the purposes of prerequisites for any courses or of substitutes for major or minor requirements, and establishing the total number of AP credits allowed toward a major or minor (not to exceed seven, in any event) is at the discretion of the appropriate department or program chair. AP course credits may not be used to satisfy any of the eight goals.

Students are allowed a maximum of seven AP course credits. Students are allowed a maximum of 16 non-HWS credits to count toward the 32 required for graduation. Only 7 credits of the 16 credits may come from credit by examination (AP, IB, CLEP, RCE- see below).

B) College Level Examination Program (CLEP)

The Colleges participate in the College Level Examination Program (CLEP) of The College Board. CLEP is a credit-by examination program which provides students with the opportunity to earn course credits by taking CLEP exams in a variety of fields corresponding to the Colleges' curriculum. The Colleges' credit-granting score is 50, or higher, on a CLEP exam, as recommended by the American Council on Education (ACE). Approval of CLEP course credits as equivalents for the purposes of prerequisites for any courses or of substitutes for major or minor requirements, and establishing the total number of CLEP credits allowed toward a major or minor (not to exceed four, in any event) is at the discretion of the appropriate department or program chair. CLEP course credits may not be used to satisfy any of the eight goals. Students are allowed a maximum four CLEP course credits. Students are allowed a maximum of 16 non-HWS credits to count toward the 32 required for graduation. Only 7 credits of the 16 credits may come from credit by examination (AP, IB, CLEP, RCE- see below).

C) International Baccalaureate (IB)

Hobart and William Smith Colleges recognize academic work taken toward the International Baccalaureate (IB) and grant credit for specific performance levels on the exams for higher-level (HL) courses. The amount of credit is determined after an official copy of results has been received by the Dean's Office. Guidelines for the granting of credit are comparable to those for Advanced Placement (AP) exams, with scores of 5, 6, or 7 on HL courses generally receiving credit. Approval of IB course credits as equivalents for the purposes of prerequisites for any courses or of substitutes for major or minor requirements, and establishing the total number of IB credits allowed toward a major or minor (not to exceed seven, in any event) is at the discretion of the appropriate department or program chair. IB course credits may not be used to satisfy any of the eight goals.

Students are allowed a maximum of seven IB course credits. Students are allowed a maximum of 16 non-HWS credits to count toward the 32 required for graduation. Only 7 credits of the 16 credits may come from credit by examination (AP, IB, CLEP, RCE- see below).

D) The Regents College Examination Program (RCE)

The Colleges participate in the Regents College Examination Program (RCE) which is administered by the State University of New York, State Education Department. RCE is a credit-by-examination program which provides students with the opportunity to earn course credits by taking CLEP exams in a variety of fields corresponding to the Colleges' curriculum. The Colleges' credit-granting scores/grades on RCE exams are as follows: for a numerical standard score, 53 or higher; for a letter grade, A or B. The Colleges' do not award course credit for RCE exams taken for a Pass/Fail grade. Approval of RCE course credits as equivalents for the purposes of prerequisites for any courses or of substitutes for major or minor requirements, and establishing the total number of RCE credits allowed toward a major or minor (not to exceed four, in any event) is at the discretion of the appropriate department or program chair. RCE course credits may not be used to satisfy any of the eight goals. Students are allowed a maximum four RCE

course credits. Students are allowed a maximum of 16 non-HWS credits to count toward the 32 required for graduation. Only 7 credits of the 16 credits may come from credit by examination (AP, IB, CLEP, RCE- see below).

#### **IV) COURSE LOAD POLICY**

The normal course load for Hobart and William Smith students is eight full-credit courses in an academic year, evenly distributed across the two semesters. Students in good academic standing may take three, four or five courses in any particular semester. Enrollment for a fifth course must occur during the drop-add period (first week of classes) and processed in person using the registration/drop/add form, not through PeopleSoft Student Self Service. Students should be aware that 32 total credits are required for graduation, and therefore an average course load of less than four courses in any semester may lengthen the time required to complete the degree requirements and to graduate. Students who have fallen behind in credits must submit to their dean an academic recovery plan that they have created in consultation with, and approval by, their academic adviser.

Good academic standing will be defined as maintenance of a minimum GPA of 2.0 (C), while accruing seven courses passed in the First Year, 15 by the end of the Sophomore Year, 23 by the end of the Junior Year, and 32 by the end of the Senior Year.

Course withdrawals carry no penalty but do not diminish the minimum requirements for the degree. Tuition remains the same if a student takes three, four, or five full credit courses in a semester. Additional tuition will be charged for more than five full credit courses.

#### **V) CREDIT HOUR AND OUT OF CLASS SUPPLEMENTAL WORK**

Hobart and William Smith Colleges are on a course unit system. Students are required to successfully complete 32 full credit units for a degree. Each full credit course carries 1.00 unit and is equivalent to 4 semester hours.

Hobart and William Smith Colleges comply with the New York State definition of credit hours: "A Semester hour means a credit, point, or other unit granted for the satisfactory completion of a course which requires at least 15 hours (of 50 minutes each) of instruction and at least 30 hours of supplementary assignments." The expectation of the Provost and Dean of Faculty is that for every hour of in-class instruction, students spend an average of 2-3 hours outside of class working on supplementary assignments.

#### **VI) FULL-CREDIT REQUIREMENT**

A minimum of 30 of the required 32 courses presented in satisfaction of the Colleges' graduation requirement must be full-credit courses. At least 28 of these courses must be passed with a grade of C- or higher. No more than four half-credit courses can be counted towards the 32 courses, of which no more than two can be half-credit teaching assistantships, no more than two can be half-credit independent study, and no more than two can be half-credit internships. Effective with the graduation Classes of 2018, in addition to the above, no more than two can be half-credit Reader's College courses.

#### **VII) INCOMPLETES**

The incomplete, or "I," is a temporary grade indicating that a student has been granted permission by the instructor or the dean to complete work for a course after the end of the semester without penalty. A request for an incomplete must be supported with a credible account of the student's problem and with documents (a note from a physician, for example) wherever appropriate. An instructor may grant an incomplete for any part of the semester's work except the final examination; only a dean can excuse a student from a final examination.

It is understood by both the student and faculty member that when an incomplete is granted, the student is responsible for submission of work and the faculty member is responsible for submission of the final grade by the deadlines listed below. When a faculty member includes an "I" grade on the grade roster they will also be required to submit the "current" letter grade for the course, calculated including all incomplete work for the course, along with comments indicating what work is incomplete. The student's

transcript will show an "I" for the course until either they complete the remaining work or until the deadline for incompletes passes. Once the completed work has been graded by the faculty member a final grade will be indicated on the transcript. If the deadline passes without an updated grade, the transcript will reflect the "current" letter grade submitted at the time of the incomplete. For fall semester incompletes, it is required that all outstanding student work be completed and submitted by the fourth week of spring semester and the final grade submitted by the faculty member to the registrar by the end of the sixth week. For spring semester incompletes, it is required that all outstanding student work be completed and submitted by the end of the fall semester drop/add period and the final grade submitted by the faculty member to the registrar by the end of the second week. In the event the student does not complete the outstanding work for the incomplete, the student's grade earned in the course will be determined by the professor, and will include zero credit for any assignments that were not completed (e.g. if the missed assignment is worth 20% of the final grade, the student would receive a zero for that assignment, and the final grade would include that zero score).

An extension in time to complete the work may be granted if a petition is submitted to the appropriate dean's office on or before the deadline. An accepted petition is an agreement between the student and faculty member that the work will be completed and graded by a specific time, and allows the grade to be changed from "I" to the grade earned. Any student who takes more than two incompletes over three consecutive semesters is reviewed by the Committee on Standards.

## VIII) COURSE WITHDRAWALS

There are two kinds of course withdrawals. The voluntary course withdrawal (see "a" below) and the authorized course withdrawal (see "b" below). The authorized course withdrawal is available to students only under exceptional circumstances beyond their control. All requests for retroactively withdrawing from a course, petitions for retroactive grade changes, or petitions for a retroactive change of grade status must be made within one calendar year from the last day of the semester of the course in question.

### A) Voluntary Course Withdrawal

A voluntary course withdrawal may be performed by a student at any time up to and including the last day of classes of the semester in which the student is enrolled in the course. However, Spring semester Seniors will only have until the end of the 11th week of classes to withdraw from a course so that graduation requirements can be finalized. Students will be allowed to take four (full credit) voluntary course withdrawals provided that the action would not reduce the student's net course count below -2. For a voluntary course withdrawal not allowed by the above process, the student must petition the Committee on Standards. Students will be required to obtain a signature from the Office of Financial Aid prior to any other signatures on the course withdrawal form to ensure that there are no unanticipated financial aid consequences. A course withdrawal from the Maymester or Summer Session will not count as a voluntary withdrawal or toward the total number of voluntary withdrawals. If the voluntary course withdrawal is in order, it is communicated immediately to the student's adviser and instructor. Students may not use a voluntary course withdrawal if they stand accused of a violation of the principle of academic integrity or if they have been found responsible for such a violation.

### B) Authorized Course Withdrawal

With the exception of the four voluntary course withdrawals described above, withdrawal from any course after the first five days of class, and prior to the due date for the semester's grades, is granted only for serious and compelling reasons beyond the student's control. A student seeking to withdraw under such circumstances must petition the Committee on Standards (COS). COS makes its decision based on input from the student (rationale), input from the course instructor, and documentation of any extenuating circumstances, as appropriate, e.g., input from a health care provider. Approved withdrawals are communicated immediately to the student's adviser and instructor.

Course withdrawals under this policy, either voluntary or authorized, carry no penalty, do not diminish the minimum requirements for the degree, and do not reduce tuition charged for that semester.

We do not offer an unauthorized withdrawal. Students remain enrolled in and will receive a grade for any class which appears in their registration.

Students who register for a course and fail to attend for the remainder of the semester (without properly dropping or withdrawing from the course) may be issued a grade of 'F' for non-attendance.

## IX) GRADES

Students' transcripts include a record of each course taken at the Colleges.

For the purpose of calculating grade point averages, the following designates the numerical values of various grades: A+= 4.3; A = 4.0; A- = 3.7; B+ = 3.3; B = 3.0; B- = 2.7; C+ = 2.3; C=2.0; C- 1.7; D+ = 1.3; D = 1.0; D- = .7; F=0. Courses taken "CR/DCR/NC" are not calculated in the GPA. For the purpose of review, a grade of CR indicates course work was C- or better. A grade of DCR indicates course work sufficient for credit for the degree, but lower than a C-. A grade of NC indicates work lower than a D- and is not sufficient for credit towards the degree.

### A) Change of Grading Option ***Students entering HWS Fall 2018 or later:***

ALL courses are to be offered as GRADED ONLY with the exception of those approved by the Committee on Academic Affairs (CoAA) to be offered as CREDIT/D-CREDIT/NO CREDIT ONLY. A full credit course may only be changed to a CR/NC/DCR grading option after the course is completed and the instructor has submitted a final letter grade to the Registrar. Students retain the option to change a course to CR/DCR/NC following the same deadlines as those that exist for incomplete grade submission. For courses taken in the Fall semester, students would have until the sixth week of the Spring semester to make a change. For courses taken in the Spring semester, students would have until the end of the second week of the Fall semester to make a change. Seniors in their final semester will be able to change their grading option up until the end of the eleventh week of the semester.

A student may change a full credit course from a letter-graded option to a CR/DCR/NC graded option by submitting a form, approved by the student's adviser, to the Registrar under the timelines mentioned above. However, students may not change a full credit course from a letter-graded option to a CR/DCR/NC graded option if they stand accused of a violation of the principle of academic integrity or if they have been found responsible for such a violation.

Changing a full credit course from letter-graded option to CR/DCR/NC graded option is not reversible. Once the action has been taken, the change is final and no petitions to the Committee on Standards will be allowed, unless a student is petitioning to use the course toward a major and/or minor. A total of four CR/DCR courses and D-range grades combined may be applied toward graduation.

### ***Students entering HWS prior to Fall 2018:***

Students may choose between a letter-grade and a "CR/DCR/NC" grading option in many of the courses taken. This choice is indicated at the time of registration for the course but may be changed with the signed approval of the adviser at any point prior to the end of the 11th week of the semester. The appropriate Change of Grading Option Form must be filed by the student at the registrar's office by the end of the 11th week of the semester.

A student may change a full credit course from a letter-graded option to a CR/DCR/NC graded option by submitting a form, approved by the student's adviser, to the Registrar under the timelines mentioned above. However, students may not change a full credit course from a letter-graded option to a CR/DCR/NC graded option if they stand accused of a violation of the principle of academic integrity or if they have been found responsible for such a violation.

Changing a full credit course from letter-graded option to CR/DCR/NC graded option is not reversible. Once the action has been taken, the change is final and no petitions to the Committee on Standards will be allowed, unless a student is petitioning to use the course toward a major

and/or minor. No more than four grades above F but below C- (D+, D, D-, or DCR) may be counted toward the 32 semester equivalent courses toward the degree.

B) Grade Appeals

The assignment of grades remains in all cases the final responsibility and prerogative of the instructor, subject only to the Colleges' policies on authorized withdrawals and changes of grade, as described above. Disagreement with or disappointment in an instructor's evaluation of his or her work may not be considered grounds for a student's request for reconsideration of a grade. A student may petition that the grade awarded in a course be reconsidered, if the student believes that (1) a computational error exists, (2) that the instructor has not arrived at the grade in a way consistent with the evaluation of other students' work, or (3) that the instructor has deviated from the stated grading policy for the examination or course. The appeal procedure is as follows

- A student considering such an action must first consult with his or her dean. The dean will consult with the instructor and attempt to assist in resolving the student's concern. Normally, this involves a review/reconstruction of how the student's final grade for the course was determined by the course instructor. If the dean is unable to resolve the difficulty directly with the instructor, the dean will consult the department chair or program coordinator, who will enter into dialogue with the instructor.
- In the event that the dean is unsuccessful in resolving the student's concern, that student may submit his or her request to the chair of the Committee on Standards. The chair will determine if there are grounds for a referral to the Committee for a grade appeal hearing. In the event of a grade appeal hearing, the Committee may, at its discretion and after consultation with the student's dean, instructor, and adviser, ask the instructor formally to reconsider his or her computation of the grade if it feels that adequate grounds for reconsideration may exist. If the instructor agrees to reconsideration or the Committee is convinced that the instructor has adequately met the student's concerns, the matter ends there. If the instructor declines such reconsideration, the Committee may, at its discretion, forward a formal report of the case to the dean of faculty for the dean's information.

C) Grade Changes

No student is permitted to submit any academic work, examination, or revision of previously submitted work with the intent of affecting a grade change after a final grade has been entered by the instructor with the Registrar's Office. An instructor may change a grade only when a computational error exists. Such changes must be submitted to the Dean's Office for approval. Subsequent to the submission of a final grade, a grade may be changed in only two ways, both of which require appropriate documentation: (1) to an alternative grade, by an instructor and with the approval of the student's dean, when a computational error has been made; or (2) to a retroactive authorized withdrawal, in very extraordinary circumstances, by the Committee on Standards, acting in consultation with the student's instructor, adviser, and dean. Approved retroactive authorized withdrawals will be communicated immediately to the student's adviser and instructor. (Forms for the retroactive authorized withdrawals are available in the Deans offices.) All requests for retroactively withdrawing from a course, petitions for retroactive grade changes, or petitions for a retroactive change of grade status must be made within a calendar year from the last day of the semester of the course in question.

D) How to Calculate GPA

- Quality Points = Points that are awarded based upon grade received times the credit that each course is worth.
- Graded Course Credit = Graded course credit counted toward the GPA.
- Grade Point Average (GPA) = Total Quality Points divided by total Graded Course Credits.

X) **ACADEMIC STANDING AND PROGRESS TO DEGREE**

Students are expected to make normal, or satisfactory, progress toward the degree. Any student whose cumulative grade point average (GPA) falls below 2.0 (C) at any point, or whose semester average falls below 1.0, or whose course count (CC) falls below the benchmark for their entering class (four courses



per semester times the number of semesters the class has been enrolled), will come up for review by the Committee on Standards, with the following likely outcomes of their review:

- Academic Warning is the likely outcome when a student's semester average falls below 2.000, but above 1.000.
- Academic Probation is the likely outcome of a first review when a student's cumulative grade point average is lower than 2.0. Students placed on academic probation are expected to be in good standing (2.0 GPA) within two semesters.
- Continued Academic Probation is the likely outcome of a review when a student previously on academic probation has been successful in removing part of the deficiency, but not the entire deficiency. Students on continued academic probation are expected to be in good standing (2.0 GPA) by the end of their next semester. Suspended-Academic is the likely outcome of a review when a student earns less than a 2.0 term average while on academic probation or continued academic probation. A student may also be suspended for academic reasons when he or she fails to gain good standing (2.0 GPA) after being on continued academic probation, or if he or she has earned less than 1.0 for the semester, regardless of the student's cumulative average.
- Dismissal is the likely outcome of a second academic suspension, either for academic deficiency or social conduct or a combination of the two. Any student dismissed from the Colleges loses his or her standing as a matriculated student and may not receive a Hobart or William Smith degree.
- A student who fails a First-Year Seminar, or an approved substitute, for a second time, is reviewed by COS, with the likely outcome that the student will be permanently separated from the Colleges.

#### XI) TRANSCRIPT NOTATION POLICY FOR CRIMES OF VIOLENCE

Pursuant to New York State Education Law, Article 129-B § 6444.6, if a student is found responsible through HWS' conduct process for crime(s) of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act (20 U.S.C. § 1092(f)(1)(F)(i)-(VIII)) ("Clery crimes of violence"), the Vice President for Campus Life and/or their designee will direct that a notation be placed on the student's transcript.

Where the sanction is a suspension, the following notation will be used: "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."

Where the sanction is expulsion, the following notation will be used: "EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."

If a student respondent withdraws from HWS while such HWS conduct charges are pending for allegation(s) related to Clery crimes of violence, and the student declines to complete the student conduct process, the Vice President for Campus Life and/or their designee will direct that the following notation be placed on the student's transcript: "WITHDREW WITH CONDUCT CHARGES PENDING."

Students who withdraw from HWS and decline to complete the student conduct process forfeit any right to resume the conduct proceedings at any point in the future.

Conduct charges are considered "pending" once a student is informed in writing that there are allegations that the student may have violated HWS's Code of Conduct.

##### A) Further Appeals

A student whose transcript states "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" may appeal, in writing, to the Vice President for Campus Life to have the notation removed. Appeals may be granted if:

- One year has passed since the conclusion of the suspension;
- The student has completed the term of suspension and any conditions thereof; and
- The Vice President for Campus Life and/or their designee has determined that the student is once again "in good standing" with all applicable HWS academic and non-academic standards.

- A student whose transcript states "EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" or "WITHDREW WITH CONDUCT CHARGES PENDING" is ineligible to appeal to have the notation removed. Students who were expelled or withdrew with such notifications on their transcripts will leave HWS with the status "not in good standing" and will be ineligible for readmission to HWS, absent any vacating of a finding of responsibility.
- If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

#### **XII) LEAVES OF ABSENCE**

Leaves of absence may be granted for personal growth or to participate in academic programs not sponsored by Hobart and William Smith Colleges. Approval of the student's dean is required. The Colleges are not obliged to accept toward the degree coursework for which prior tentative approval had not been procured.

#### **XIII) SENIOR STANDING**

All students must have passed at least 22 courses to enter their senior year.

#### **XIV) ACADEMIC RESIDENCY RESTRICTIONS**

All requirements for the degree must be completed by the end of the student's 10th semester in residence. If requirements are not completed at that point, the Committee on Standards will review the student, with permanent separation the likely outcome.

#### **XIII) TRANSFER CREDITS**

For continuing HWS students, courses that are to be taken in transfer toward degree requirements must have prior approval of the student's dean, and, as appropriate, the student's adviser, the student's department, program or Individual Majors Committee. Only courses passed with a grade of C- (1.7) or better, are accepted for transfer credit. When transfer credit is awarded, course credits may be transferred but grades for those classes are never entered on an HWS transcript and they are not used in the calculation of a student's GPA. Grades of transferred courses, therefore, have no impact on the student's GPA at the Colleges. Courses which are composed predominantly of high school students and taught by high school teachers in a high school setting are not transferable to Hobart and William Smith Colleges, even if they appear on another college's or university's official transcript. No college course that has been applied toward the minimum requirements for a student's high school diploma, or which serves as substitute for a high school required course, can be transferred to Hobart and William Smith. Other requirements for HWS transfer credit include:

- Distance learning (online) courses cannot be transferred. HWS does not accept credit from NOLS or Semester at Sea. HWS generally does not accept EMT course work for transfer credit from any college, including Finger Lakes Community College.
- Only courses of three or more credit hours are eligible for transfer credit. There can be no partial transfer credit or "bundling" of partial credits or credit hours for toward a full credit transfer course.
- Courses must be taken at an accredited institution and must be considered by the faculty at Hobart and William Smith to be in the liberal arts and have substantial overlap in course content with what is currently taught at HWS.
- Students may transfer a maximum of 16 courses. A.P. credits cannot exceed 7. Combined A.P. and transfer credits cannot exceed 16. Final decisions concerning transfer credit rest with the dean of the student's college.

#### **XIV) BACCALAUREATE CANDIDACY**

All students must have submitted to his or her adviser an acceptable Baccalaureate Plan to be admitted to Baccalaureate Candidacy and their senior year. The Baccalaureate Plan records those educational goals and requirements the student has addressed and how the student proposes to meet those not addressed, including plans for completing all majors, minors and goals.

#### **XV) COMMENCEMENT EXERCISES**

Commencement exercises are held annually at the end of spring semester. Students are recommended for a degree upon completion of requirements pertaining to their class. A student who has a 2.000 GPA and who is within two courses of completing all outstanding degree requirements is allowed to participate in Commencement exercises, once voted "upon completion" by the faculty. By longstanding institutional policy, practice, and consensus, there are NO exceptions to this rule. If a student completes all remaining degree requirements prior to Oct. 1 of the current year, the student will receive his or her degree dated, May of that current year.

#### **XVI) TRANSFER STUDENTS**

The requirements for the degree described above apply also to transfer students. One year of the three-year residency requirement is waived if a student enters HWS with an appropriate number of approved transfer credits.

#### **XVII) REPEATABLE COURSES**

Courses may be designated "repeatable" if they are fundamentally creative and/or experiential in nature, such that student performance is cumulative or held to a progressively higher standard of expectation across successive registrations and/or the content of student experience is substantially different with each offering of the course. Repeatable courses are identified as such in this Catalogue, subject to any published limit which may be established by the sponsoring department. Additionally, students may elect to take an Independent Study (450) without limit. Each registration of such courses carries full credit and is calculated independently in a student's grade point average.

#### **XVIII) SPECIAL TOPIC COURSES**

Courses designated as "Special Topics" registrations may vary in content by semester or by instructor. Each unique offering is considered an independent course and ordinarily carries a title extension indicating the topic in a given term. Each carries full credit and is calculated independently in a student's grade point average.

#### **XIX) CREDIT BEARING INTERNSHIPS**

Students may earn course credit for an internship experience in two ways:

- A) Half Credit Internship - Students may register for a half-credit (.50) internship INT 199. The INT 199 credit-bearing internship course registration allows students to receive half credit for an approved internship. Internships must include a minimum of 120 on-site contact hours, and students must keep a journal of their experience for submission to their faculty adviser. Students may receive financial compensation for their internship, including wages. A maximum of two INT 199 internships may count toward graduation requirements. Students should meet with their faculty adviser to discuss the internship, and to make sure all required documentation has been submitted and received. Once their adviser has approved the internship, students should bring the form to their dean for final approval. An evaluation form the site supervisor should be sent to the adviser, after the internship is completed, and the adviser will submit a CR/NC grade. Any international student doing an INT 199 must have the signature of approval from the Director of International Students Affairs.
- B) Full Credit Internship - Some programs and departments offer a 499 full credit (1.00) internship course. Students may register for that credit with the permission of their department/program chair.

Students are advised to be in close contact with their adviser as they plan their internship experience.

#### **XX) COURSE REPEATS (does not apply to "repeatable courses")**

Students may repeat courses in which they have earned a grade below a C- (1.7). Courses with a grade of C- or better may not be repeated. The deans will not approve any exceptions. The student's permanent transcript records each time a course is taken, including the grade. In computing the student's GPA, the highest grade will be used. Courses repeated at other institutions and transferred to the Colleges are not included in the GPA nor are they treated as HWS course repeats. Repeated courses count only once toward the 32 courses required for graduation. Courses can only be repeated for a letter grade and not for CR/NC/DCR. The letter grade will be used when repeating a course with any instance of the course having earned a grade of NC or DCR.

**XXI) APPROVED STANDARDIZED TIME PERIODS for schedule development**

Approved Standardized Time Periods for Schedule Development: Unless otherwise stated, all courses meet for three 55-minute or two 85-minute class periods each week. Senior seminars meet once a week for 165 minutes. Time periods are defined in the chart below. See the Registrar’s published schedule of classes each semester for additional lab times where applicable.

Class Periods	Days	Times
*Period 1	MWF	8:30AM-9:30AM
*Period 1A	MW	9:15AM-10:45AM
Period 1B	MWF	9:45AM-10:45AM
Period 2	MWF	11:00AM-12:00PM
Period 3	MWF	12:15PM-1:15PM
Period 4	MWF	1:30PM-2:30PM
Period 4A	MW	1:30PM-3:00PM
*Period 5	MW	3:15PM-4:45PM
*Period 6	TR	8:45AM-10:15AM
Period 7	TR	10:30AM-12:00PM
Period 8	TR	12:15PM-1:45PM
Period 9	TR	2:00PM-3:30PM
*Period 10	TR	3:45PM-5:15PM

Friday Short-Labs (90 min) only		
Period 11	F	9:15AM-10:45AM
Period 12	F	1:30PM-3:00PM
Period 13	F	3:15PM-4:45PM

Seminar Periods (180 minutes)		
Seminar 1	M	1:30PM-4:30PM
Seminar 2	T	2:00PM-5:00PM

Seminar 3	W	1:30PM-4:30PM
Seminar 4	R	2:00PM-5:00PM
Seminar 5	F	1:30PM-4:30PM

<b>Lab Periods (210 minutes)</b>		
Lab 1	M	1:30PM-5:00PM
Lab 2	T	8:30AM-12:00PM
Lab 3	T	2:00PM-5:30PM
Lab 4	W	1:30PM-5:00PM
Lab 5	R	8:30AM-12:00PM
Lab 6	R	2:00PM-5:30PM
Lab 7	F	1:30PM-5:00PM

<b>Education Seminars (60 minutes)</b>		
ED 1	TR	7:30AM-8:30AM

<b>ARCH/ARTS classes w/dedicated studio spaces</b>		
ST 1	MW	8:45AM-11:30AM
ST 1A	MWF	8:30AM-10:00AM
ST 2	MW	1:30PM-4:15PM
ST 3	TR	8:45AM-11:30AM
ST 4	TR	2:00PM-4:45PM

<b>Dance Technique (DAN/DAT) classes w/dedicated studio spaces (90 minutes)</b>		
DS 1	MWF	9:15AM-10:45AM
DS 2	MWF	11:00AM-12:30PM

DS 3	MWF	1:30PM-3:00PM
DS 4	MWF	3:15PM-4:45PM

<b>**OPT-IN EVENING CLASSES MW (No evening classes, T, R, or F)</b>		
EV 1	MW	7:30PM-9:00PM
EV 2	MW	7:00PM-9:45PM (studio classes)
EV 3	M	7:00PM-10:00PM (seminars)
EV 4	M	6:30PM-10:00PM (labs)
EV 5	W	7:00PM-10:00PM (seminars)
EV 6	W	6:30PM-10:00PM (labs)

\*\*No faculty members may be compelled to teach evening classes; this is "opt-in."

\*\*No faculty member may teach more than one evening class per semester.

\*\*No evening classes required for a major or minor may be offered unless a section is also offered in the daytime.

\*Indicates a First-Year Seminar time period.

## XXII) REGISTRATION

All students are encouraged to register on days and times specified and published by the Registrar. However, class or scheduled laboratory time may not be used for the purposes of registration. No registration is accepted after the fifth day of classes, and students who have not registered are asked to leave campus. Students who fail to meet their financial obligations to the Colleges may be denied registration or deregistered from classes. (See "General Payment Schedule" in Admissions, Expenses, and Financial Aid.)

All students are required to consult with their faculty advisers prior to registration. If a student registers for a course without meeting all prerequisites and without written approval of the adviser, his or her enrollment in the course may be canceled at any time by the instructor offering the course. Students declare their course selections via the web registration system or by submitting a registration form signed by their faculty adviser.

Hobart and William Smith Colleges reserve the right to cancel any course without prior notice should minimum enrollment not be reached, or staffing situations necessitate it.

## XXIII) DEREGISTRATION

Students may be deregistered from a course prior to the first day of classes if they have already received credit for the course through advanced placement or transfer credit from another institution. Students may also be deregistered from courses prior to the first day of classes if they have not met the required financial obligations to the Colleges at that time, or made arrangements with the Student Accounts Office to do so. In the event of deregistration, re-registration is on a space available basis, and students may not be able to re-enter the courses for which they were previously enrolled. Deregistered students who have been cleared by the Student Accounts Office may attempt to reregister into their original class

schedule before the first day of classes. Students are urged, therefore, to resolve all financial responsibilities within the established deadline.

Students may be deregistered from a course if they do not have the required prerequisites for course entry.

#### **XXIV) DROPPING AND ADDING COURSES**

Students may drop and add a course during the first five days of class via the web-registration system or in person with an add/drop form. No signatures are necessary to make changes during the add/drop period unless the student needs permission to enroll, does not meet pre-requisites, or is being overloaded into a class. Registrations and student class schedules are finalized at the end of the five-day drop/add period. Students are accountable for all courses for which they are enrolled from that point on, and those courses are reflected on the permanent academic transcript. If a student has attended a course in which he or she was not properly registered, no credit or grade is recorded. If a student stops attending a course but fails to drop or withdraw properly, a grade of "F" may be assigned by the instructor of the course and recorded on the permanent academic transcript.

Under certain circumstances, changes may be allowed beyond the add/drop period. Half credit courses may be added/ dropped with the approval of the instructor(s). Half credit courses may be dropped until the end of the eleventh week of classes with the approval of the instructor(s). Students seeking to only add a full credit course beyond this period require the approval of their instructor for the late add. Normally any full credit course dropped beyond the add/drop period will require the student to withdraw (voluntary or authorized- see the dean of the College) from the course. If the student receives dean's approval to swap (add/drop) beyond the add/drop period, the student will need the approval of the instructor of both the class to be added and the class to be dropped, and the adviser in addition to the dean's approval.

For a voluntary withdrawal, students only need the permission of their dean. Authorized withdrawals go through the Committee on Standards and require input from the instructor of the course and the student's dean.

#### **XXV) ATTENDANCE**

Students may drop and add a course during the first five days of class via the web-registration system or in person with an The faculty of Hobart and William Smith Colleges, recognizing the responsibility of the individual student for his or her own education, assumes class attendance to be crucial to academic success at the Colleges. This responsibility is threefold:

##### **A) The Colleges**

No student shall be suspended or refused admission because he or she is unable to participate in any examination, study, or work requirement because of religious obligations and practices. The Colleges accept responsibility for making available accommodations for students who wish to observe their religious observations or participate in their religious practices. The course instructor will provide each student who is absent from class because of religious obligations and practices an equivalent opportunity to make up any examination, study, or work requirement missed because of such absence. It is the student's responsibility to communicate to the instructor, in a timely manner, his or her intention to observe. The student must consult with the instructor regarding an alternative time and place for an examination or other academic exercise. No fees shall be charged to students for costs incurred in providing special classes, examinations, or work requirements. The deans and provost will jointly mediate any difficulties between a student and a faculty member in implementing any appropriate accommodation.

In effecting these provisions, the Colleges' administration and faculty agree to exercise the fullest measure of good faith and agree that no adverse or prejudicial effects shall result to any student who avails himself or herself of the Colleges' policy on religious observances.

It is not institutional policy to provide medical excuses when a student has been absent from class.

Regarding incompletes and absences from final examinations, either a student's dean or the instructor may allow an incomplete based on coursework, but only a dean can excuse a student from a final examination. Incompletes and excuses from final exams are given normally only for reasons beyond the student's control. In this instance, the dean communicates with both the student and the instructor of the course.

B) The Faculty

Each faculty member is responsible at the beginning of the semester for announcing in writing his or her attendance policy and the effect that absences may or will have on a student's final standing and grade in the course. Each instructor respects the time allotted other academic and extracurricular exercises by not rescheduling academic exercises for which attendance is required. Rescheduling classes at times other than those published by the registrar causes conflict with other regularly scheduled classes and activities. Should it be necessary to meet at non-regularly established times, the instructor of the class provides an alternate opportunity for making up the rescheduled meeting if a student requests it. Faculty members may require additional activities, such as individual conferences with the professor, attending symposia, films, etc. Faculty members should include a schedule of such additional activities in the syllabus at the start of the semester.

C) Student Responsibility

Students are expected to attend all their regularly scheduled classes, laboratory periods and other academic exercises. Should an absence from regularly scheduled academic exercises be unavoidable (beyond a student's control), it is the student's responsibility to communicate with the professor, preferably beforehand, concerning the absence. Individual faculty members have the authority to drop students from a course for nonattendance on the first class day, unless the student has made prior arrangements with the dean or has extraordinary circumstances. The Deans cannot excuse a student from class. However, at the request of the student, the student's Dean or designee may convey to the faculty information about personal emergencies, including medical illness, faced by the student when the student is unable to convey the information him or herself. Students are advised that absence from class, for whatever reason, does not excuse them from meeting course requirements and objectives. Students who register for a course and fail to attend for the remainder of the semester (without properly dropping or withdrawing from the course) may be issued a grade of 'F' for non-attendance.

When a conflict exists between the attendance policy of an instructor and the student's planned extracurricular activities, the student must decide where his or her priorities lie before enrolling in the course. By remaining in the course, the student agrees to accept the attendance policy set by the professor.

## **XXVI) ADDITIONAL ACADEMIC, ENROLLMENT, & DEANS' POLICIES, & ADDENDUMS**

A) Intercollegiate Athletics and Post-Season Competition

(approved by the faculty, March 8, 1999)

1) Philosophy Statement on Intercollegiate Athletics

The Hobart and William Smith Faculty recognize that intercollegiate athletics is an activity endorsed and supported by the Colleges. Whenever a student represents the Colleges in post-season competition, and such representation occurs when the student is scheduled to complete an academic activity or requirement (test, lab, paper, assignment, etc.), or attend class, the professor will permit the student to complete that academic activity or requirement at some other appropriate time or place under appropriate supervision. Immediately upon notification of the post-season competition, the Dean of the student's College will circulate to the faculty a list of students entitled to such an accommodation for the required academic activity or requirement and students will consult with their faculty members regarding an alternative time or place for the academic activity or requirement. The Deans will resolve any difficulties in implementing this accommodation.

2) HWS Academic/Athletics Policy Statement



The policy governing the relationship between athletics participation and academic requirements is founded upon several premises. First and foremost, students' academic work and participation take precedence over athletics participation. A second premise is that the Colleges value the benefits of intercollegiate activities for participants and the Colleges' community and consequently support strong athletics programs. Finally, as members of a shared community, faculty, coaches, and student athletes can and will operate within a spirit of cooperation. All of these following policy guidelines are in accord with NCAA Division III rules:

- a) The directors of athletics will arrange the schedules of competition to minimize missed class time.
- b) Coaches may not require student-athletes to miss class to attend practices or meetings with the exception of NCAA Championship competition.
- c) Coaches will advise student-athletes of the schedules of competition prior to registration in order to help student-athletes choose classes that minimize class conflicts and, at the same time, maintain the integrity of their academic needs.
- d) Faculty members will announce class attendance policies and other requirements at the beginning of their courses.
- e) Faculty members will generally avoid the situation where the only opportunity for a student to make up a test or complete a required activity outside of the regularly scheduled class or designated evening hours occurs.
- f) Student-athletes are responsible for making arrangements for completing any work missed because of an athletic competition.
- g) Participation in post-season, tournament competitions necessitates prompt notification by the athletic director to the Dean of the student's college. The Deans will circulate to faculty a list of students and encourage attendance flexibility on the part of the faculty.

#### B) Leaves of Absence Statuses

As stated in the Academic Policies, Leaves of absence may be granted for personal growth or to participate in academic programs not sponsored by Hobart and William Smith Colleges. For any kind of leave of absence, approval of the student's dean is required. The Colleges are not obliged to accept toward the degree coursework for which prior tentative approval had not been procured.

##### 1) Personal leave of absence

A personal leave of absence may be granted for a personal emergency or personal growth. For specific information regarding a request for a personal leave of absence, please see the Hobart or William Smith Deans' Offices.

##### 2) Medical leave of absence

A medical leave may be granted to a student at any point in the academic year. A medical leave requires the approval of the student's Dean, usually in consultation with the Colleges' medical or counseling professionals, as well as the Vice President for Campus Life and/or their designee. To review the policy for requesting, granting, and returning from a Medical Leave of Absence, please review the Policy on Medical Leaves of Absence, found under Administrative Policies>Policy on Medical Leaves of Absence.

#### C) Plagiarism Defined

(From *The Logic and Rhetoric of Exposition*, 3rd ed., by Harold C. Martin, Richard M. Ohmann, and James H. Wheatley, pages 268-273. Copyright 1963, by Holt, Rinehart, and Winston, Inc. Reprinted by permission of CBS College Publishing.)

The spectrum [of plagiarism] is a wide one. At one end there is a word-for-word copying of another's writing without enclosing the copied passage in quotation marks and identifying it in a footnote, both of which are necessary. (This includes, of course, the copying of all or any part of another student's paper.) It hardly seems possible that anyone of college age or more could do that without clear intent to deceive. At the other end there is the almost casual slipping in of a particularly apt term which one has come across in reading and which so admirably expresses one's opinion that one is tempted to make it

personal property. Between these two poles there are degrees and degrees, but they may be roughly placed into two groups. Close to outright and blatant deceit...is the patching together of random jottings made in the course of reading, generally without careful identification of their source, and then woven into the text, so that the result is a mosaic of other people's ideas and words, the writer's sole contribution being the cement to hold the pieces together. Indicative of more effort and, for that reason somewhat closer to honesty, though still dishonest, is the paraphrase, an abbreviated (and often skillfully prepared) restatement of someone else's analysis or conclusion, without acknowledging that another person's text has been the basis for the recapitulation.

The examples given below should make clear the dishonest and the proper use of source material. [The original source is given, followed by four examples of plagiarizing the original source: (1) word-for-word copy; (2) the mosaic; (3) the paraphrase; and (4) the apt phrase.]

1) The [Original] Source

The importance of the Second Treatise of Government printed in this volume is such that without it we should miss some of the familiar features of our own government. It is safe to assert that the much more criticized branch known as the Supreme Court obtained its being as a result of Locke's insistence upon the separation of powers, and that the combination of many powers in the hands of the executive under the New Deal has still to encounter opposition because it is contrary to the principles enunciated therein, the effect of which is not spent, though the relationship may not be consciously traced. Again we see the crystallizing force of Locke's writing. It renders explicit and adapts to the British politics of his day the trend and aim of writers from Languet and Bodin through Hooker and Grotius, to say nothing of the distant ancients, Aristotle, and the Stoic school of natural law. It sums up magisterially the arguments used through the ages to attack authority vested in a single individual, but it does so from the particular point of view endangered by the revolution of 1688 and is in harmony with the British scene and mental climate of the growing Bourgeoisie of that age. Montesquieu and Rousseau, the framers of our own Declaration of Independence, and the statesmen (or should we say merchants and spectators?) who drew up the Constitution have re-echoed its claims for human liberty, for the separation of powers, for the sanctity of private property. In the hands of these it has been the quarry of liberal doctrines and that it has served the Socialist theory of property based on labor is final proof of its breadth of view.

Charles Sherman, "Introduction" to John Locke, *Treatise of a Civil Government* and a Letter Concerning Toleration

2) Word-for-Word Plagiarizing

[EXAMPLE] It is not hard to see the importance of the Second Treatise of Government to our own democracy. Without it we should miss some of the most familiar features of our own government. It is safe to assert that the much criticized branch known as the Supreme Court obtained its being as a result of Locke's insistence upon the separation of powers; and that the combination of many powers in the hands of the executive under the New Deal has still to encounter opposition because it is contrary to the principles enunciated therein, the effect of which is not spent, though the relationship may not be consciously traced. The framers of our own Declaration of Independence and the statesmen who drew up the Constitution have re-echoed its claims for human liberty, for the separation of powers, for the sanctity of private property. All these are marks of the influence of Locke's Second Treatise on our own way of life.

[CRITIQUE] In this example, after composing half of a first sentence, the writer copies exactly what is in the original text, leaving out the center section of the paragraph and omitting the names of Montesquieu and Rousseau where they take up the text again. The last sentence is also the writer's own.

If the writer had enclosed all the copied text in quotation marks and identified the source in a footnote, they would not have been liable to the charge of plagiarism; a reader might justifiably have felt, however, that the writer's personal contribution to the discussion was not very significant.

3) The Mosaic

[EXAMPLE] The crystallizing force of Locke's writing may be seen in the effect his Second Treatise of Government had in shaping some of the familiar features of our own government. That much criticized branch known as the Supreme Court and the combination of many powers in the hands of the executive under the New Deal are modern examples. But even the foundations of our state—the Declaration of Independence and the Constitution—have re-echoed its claims for human liberty, for the separation of powers, for the sanctity of private property. True, the influence of others is also marked in our Constitution—from the trend and aim of writers like Languet and Bodin, Hooker and Grotius, to say nothing of Aristotle and the Stoic school of natural law; but the fundamental influence is Locke's Treatise, the very quarry of liberal doctrines.

[CRITIQUE] Note how the following phrases have been lifted out of the original text and moved into new patterns:

- (i) crystallizing force of Locke's writing,
- (ii) some of the familiar features of our own government,
- (iii) much criticized branch known as the Supreme Court,
- (iv) combination of many powers in the hands of the executive under the New Deal,
- (v) have re-echoed its claims for human liberty...property,
- (vi) from the trend and aim...Grotius,
- (vii) to say nothing of Aristotle and...natural law,
- (viii) quarry of liberal doctrines.
- (ix) As in the first example, there is really no way of legitimizing such a procedure. To put every stolen phrase within quotation marks would produce an almost unreadable, and quite worthless, text.

4) The Paraphrase

PARAPHRASE: Many fundamental aspects of our own government are

ORIGINAL: *Many familiar features of our own government are apparent in the Second Treatise of Government. One can safely assert that the much more criticized...Court obtained its being the New Deal has still to encounter opposition because it is*

*contrary to the principles enunciated therein...Once more it contrary to the principles enunciated therein...Again we see*

The foregoing interlinear presentation shows clearly how the writer has simply traveled along with the original text, substituting approximately equivalent terms except where his understanding fails him, as it does with "crystallizing" or where the ambiguity of the original is too great a tax on his ingenuity for him to proceed, as it is with "to encounter opposition... consciously traced" in the original.

Such a procedure as the one shown in this example has its uses; for one thing, it is valuable for the student's own understanding of the passage; and it may be valuable for the reader as well. How, then, may it be properly used?

The procedure is simple. The writer might begin the second sentence with: "as Sherman notes in the introduction to his edition of the Treatise one can safely say..." and conclude the paraphrased passage with a footnote giving the additional identification necessary. Or they might indicate directly the exact nature of what they are doing in this fashion; "To paraphrase Sherman's comment..." and conclude that also with a footnote indicator.

In point of fact, this source does not particularly lend itself to honest paraphrase, with the

exception of the one sentence which the paraphraser above copied without change except for abridgement. The purpose of paraphrase should be to simplify or to throw a new and significant light in a text; it requires much skill if it is to be honestly used and should rarely be resorted to by the student except for the purpose, as was suggested above, of his personal enlightenment.

5) The "Apt" Term

Here the writer has not been able to resist the appropriation of two striking terms—"quarry of liberal doctrines" and "crystallizing force"; a perfectly proper use of the terms would have required only the addition of a phrase; the Second Treatise is, to use Sherman's suggestive expression, a "quarry of liberal doctrines." In it the "crystallizing force"—the term again is Sherman's—"of Locke's writing is markedly apparent..." Other phrases in the text above—"the cause of human liberty," "the principle of the separation of powers," "the inviolability of private property"—are clearly drawn directly from the original source but are so frequently quoted, that no one could reasonably object to their re-use in this fashion.

D) **Students with Disabilities**

1) **Mission Statement**

Hobart and William Smith Colleges cultivates an inclusive and supporting learning community that values the diverse learning styles of our students. The Office of Disability Services in the Center for Teaching and Learning (CTL) is committed to providing students with disabilities access to HWS programs and activities. We strive to provide the appropriate individualized accommodations necessary for students with disabilities to succeed. The Office of Disability Services seeks to promote academic achievement, extracurricular involvement, and help students with disabilities take full advantage of the academic and extracurricular opportunities available at HWS. The Coordinator of Disability Services works independently and in cooperation with other administrative offices and academic departments to:

- Identify and implement individualized accommodations while fostering the academic and personal development of students;
- Ensure the appropriateness of disability-related accommodations in specific courses;
- Assist HWS in establishing policies, procedures, and facilities that are in compliance with state and federal disability laws.

2) **Rights and Responsibilities**

a **Students**

Students with documented disabilities are entitled to reasonable accommodations according to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. These federal laws protect students from discrimination based on actual or perceived disability. They are also entitled to access to all programs and activities of the Colleges if they are otherwise qualified to participate.

In order to receive accommodations, students are expected formally to self-disclose in writing or in person their disability to the Coordinator of Disability Services in the Center for Teaching and Learning, provide appropriate and current documentation of their disability, and follow established procedures for obtaining reasonable accommodations and services. Finally, students with disabilities are expected to comply fully with the academic standards as well as the codes of conduct established by the Colleges.

b **The Colleges**

In order to provide the most reasonable and appropriate accommodations, the Colleges have the right to review all documentation establishing a student's disability status and accommodation needs. When all documentation is found to support the disability status and requested accommodation(s), it is the responsibility of the Colleges to make every effort to provide accommodations that are reasonable and will not pose an undue financial or administrative burden on the Colleges.

The Colleges have the right to decline any accommodation request that is not sufficiently supported by documentation or which would fundamentally alter a degree requirement, program, course, or activity. In other words, it is essential that the documentation clearly demonstrates a reasonable link between the specified accommodation(s) and the functional limitation exhibited by the student, and that accommodations do not substantially alter the core objectives of degree requirements, programs, courses, activities, or standards established by the faculty..

3) Policies and Procedures for Services

a Application for Services

Students are not obligated to self-disclose a disability. However, self-disclosure is required when the student anticipates a need for accommodations or services relating to a disability. When a student anticipates such a need, they must identify themselves to the Coordinator of Disability Services in the Center for Teaching and Learning, register for services, and provide written documentation in a timely manner. A letter, phone call, or personal interview with the Coordinator will initiate the registration process. Also, all incoming first-year students are able to self-disclose through the Orientation Portal. Students who self-disclose a disability through the Orientation Portal will be contacted by the CTL which will initiate the documentation process.

Students who do not choose this means of self-disclosure may initiate the process themselves in person or in writing to the Center. A minimum of two weeks is required for processing any new request for accommodations or services. Typically, if a student chooses not to self-disclose a disability, retroactive accommodations cannot be made. However, if the student wishes to present strong justification for a retroactive accommodation, the student may make a formal request in writing to the Coordinator of Disability Services in the Center for Teaching & Learning.

b Disability Documentation

Written documentation must be provided by a qualified professional with training and experience relevant to the diagnosed disability. In order to receive accommodations and specialized services, the documentation must establish that the person has an impairment that substantially limits one or more major life activities such as walking, seeing, hearing, learning, working, and/or performing manual tasks. The documentation should be submitted under the professional's letterhead and include the following:

- (i) Student's name
- (ii) Diagnosis of evaluation and/or last contact
- (iii) Specific diagnosis and history. Undifferentiated diagnoses of individual learning styles, learning differences, academic problems, and test anxiety in and of themselves do not constitute a learning disability.
- (iv) Nature of impairment including a description of current functional limitations within the academic setting
- (v) Degree of severity of impairment
- (vi) Statement of diagnostic criteria and/or tests used to determine impairment including a summary as well as specific test scores
- (vii) A description of most recent accommodations, services, treatment, medication or assistive devices prescribed
- (viii) Evaluation or test findings that support the recommended academic accommodations
- (ix) Where appropriate, a statement of the expected course or relative stability of the disability
- (x) Documentation that is appropriately recent, depending on the disability.

Although many disabilities are acknowledged to be life-long, functional limitations can vary over time; hence currency of testing is essential.

c Related Information

An Individualized Education Plan (IEP) or a 504 Plan summary is not automatically sufficient to determine disability or reasonable accommodations. If either of these documents includes test results or other professional findings that establish a basis for services or accommodations, they may be submitted as professional documentation.

Note: Individualized Education Plans and 504 Plans are procedural documents covering children ages 3-21. They are documents that summarize the needs and services deemed essential to their students and limited to their K-12 setting. These students are guaranteed a free and appropriate public education until they graduate from high school or reach the age of 21.

Colleges and universities, on the other hand, are obligated to abide by the Americans with Disabilities Act (ADA), in particular, and Section 504 of the Rehabilitation Act of 1973. Both of these are civil rights laws that prohibit discrimination based on disability. The provision of services and accommodations are ways in which we can assure equal access to a college education and non-discrimination to students with disabilities.

Colleges and universities are not required to provide a free and appropriate public education. Educational plans and special education services are not mandated. We must, however, provide services and accommodations —linked to equal access — that are supported by professional evaluations. For these differences, IEPs and 504 Plans are not automatically accepted.

4) Accommodations and Services

In order to receive accommodations, it is the responsibility of the student to voluntarily self-disclose their disability and then to provide documentation that is recent. Likewise, it is the responsibility of the Colleges to review all relevant documentation and discuss with the student the range of possibilities for accommodations and/or services.

Recognizing that disabilities vary widely in their impact on the academic life of a student, the determination of reasonable accommodations is achieved on an individualized basis. Prior history of an accommodation is not, in and of itself, sufficient to establish the need for the provision of an accommodation. Providing unbiased and reasonable access to all programs and activities of the Colleges is the purpose of accommodations. Ultimate responsibility for determining reasonable accommodations and services lies with the Colleges.

For each semester in which a registered student wishes to obtain disability related accommodations, they are responsible for scheduling an appointment with the Coordinator of Disability Services in the CTL. During the meeting a student will be able to discuss the accommodations appropriate for that semester's courses, keep relevant paperwork updated, and arrange for notification of accommodations to relevant faculty members. It is strongly recommended that students make these requests within the first two weeks of the semester. Advance notice of at least one week is required prior to the time that an accommodation is necessary. Faculty will then be notified in writing of the student's needs. It is additionally the responsibility of the student to notify the CTL of exam dates so that the Center is prepared to accommodate the student's need for extended time, a reader, use of word processor, etc.

An accommodation will not be authorized under the following conditions:

- when it is not supported by clear, supportive documentary evidence;
- when it may require a substantial alteration to a fundamental element of the curriculum or academic program;

- when it may require a substantial alteration to a co-curricular or extra-curricular activity;
- when it poses a direct threat to the health or safety of others;
- when it poses an undue financial or administrative burden to the College; or
- when it falls under the definition of a personal service. Typical Accommodations

5) Confidentiality

The Americans with Disabilities Act and the Family Education Rights and Privacy Act (FERPA) have established guidelines for confidentiality of all disability-related information. Documentation and any communication related to a student's disability is maintained in strict confidentiality. This information is stored in the Center for Teaching and Learning and is released by CTL only on a need-to-know basis, and with a consent form authorized by the student, except in cases where disclosure without consent is required by law. All records are archived for six years following the student's graduation or last date of enrollment at the Colleges, after which all records are destroyed. Information is disclosed only when necessary to fulfill the Colleges' obligation to provide equal access under ADA and Section 504 of the Rehabilitation Act.

6) Section 504/Disability Grievance Procedures

The Colleges protect the rights of individuals with disabilities to be free from harassment and discrimination, and offer reasonable accommodations. The Colleges have adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging discrimination based on disability, which is prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). If, at any time, a student feels they have been subjected to discriminatory actions on the basis of disability, they may seek a remedy by filing a complaint in writing with the Colleges' Section 504 Coordinator.

Section 504 Coordinator Contact:

Sonya Y. Williams  
 Vice President for Human Resources  
 Hobart and William Smith Colleges  
 Gulick Hall  
 Geneva, NY 14456

The purpose of this procedure is to provide corrective action. Thus, a complaint must be filed as soon as possible, but no later than one year after the person filing the grievance becomes aware of the alleged discrimination, in order to give the Colleges a meaningful opportunity to resolve the problem. A delay in filing a complaint may severely affect available remedies. A complaint must be in writing and include the name and address of the person filing it and a factual description of the allegation(s) of discrimination. To the extent possible, it should also include the remedy or relief sought, and any available supporting documentation.

The Section 504 Coordinator and/or their designee will review the complaint and conduct an investigation. The investigation may be informal, but it must be thorough, affording all interested parties an opportunity to submit evidence relevant to the complaint. If the incident involves a specific person ("respondent"), that person may submit a written statement as part of the review of the incident.

The role of the Section 504 Coordinator is to serve as a facilitator towards a resolution. Under this process, an informal mediation can occur (with an agreement reached that is mutually acceptable in writing), or the complaint may proceed to a formal Grievance Committee review (which includes the Vice President for Campus Life and/or their designee, the Coordinator of Disability Services, the Provost and/or their designee, and a member of the faculty) who will hear and decide appropriate direction. The Section 504

Coordinator will collect and present all relevant information to the Grievance Committee, and provide copies of the information to the complainant and respondent. Both have the opportunity to present written or oral statements at the review, and the Grievance Committee may ask clarifying questions. The Grievance Committee will render a written decision no later than 30 days of its completed review. Similar to our disciplinary procedures, students may have an advisor who serves as a consultant and support person. While advisors may be present at a review, they may not address the Grievance Committee or question witnesses. As the purpose of this review is to gain an understanding of complaints filed by students with disabilities rather than a formal legal proceeding, participation of persons acting as legal counsel is not permitted. The Section 504 Coordinator will make appropriate arrangements to ensure that persons with disabilities are provided other accommodations, if needed, to participate in this grievance review. Such arrangements may include, but are not limited to assuring a barrier-free location for the proceedings or an interpreter. The Section 504 Coordinator will be responsible for making such arrangements. The decision of the Grievance Committee can be appealed on the grounds that:

- there is new information that significantly alters the findings of fact
- improper procedures in handling the formal review resulted in an adverse finding; or
- an inappropriate remedy was applied.

Both the complainant and the respondent may appeal the Section 504 Coordinator's decision to the Vice President for Campus Life and/or their designee. The appeal must be submitted in writing within 5 business days of receiving the Section 504 Coordinator's decision and specify the grounds for appeal. Decisions rendered by the Vice President will be in writing and are final. Appeal decisions will be communicated within 30 days after the appeal is filed. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U.S. Department of Health and Human Services, Office for Civil Rights.



# ***Education Records Policy***

## **I) EDUCATION RECORDS**

The maintenance and disclosure of education records are regulated by the Family Educational Rights and Privacy Act (FERPA). Education records generally include files, documents, and material in whatever medium (handwriting, print, tapes, film, microfilm, and microfiche) maintained by the Colleges or by a party acting for the Colleges, which are directly related to students. This policy will be interpreted consistent with FERPA and does not expand upon or diminish any rights provided under FERPA

Education records do not include:

- A) Records of instructional, supervisory, administrative, and certain educational personnel which are in the sole possession of the maker thereof and used only as a personal memory aid, and which are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- B) Records created by a law enforcement unit of the institution, which are maintained solely for law enforcement purposes and not disclosed to individuals other than law enforcement officers of the same jurisdiction;
- C) Records relating to individuals who are employed by the institution, which are made and maintained in the normal course of business, relate exclusively to individuals in their capacity as employees, and are not available for use for any other purpose. (By contrast, records of individuals in attendance at the Colleges who are employed as a result of their status as students are education records, e.g. work-study.);
- D) Records relating to a student who is 18 years of age or older, which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional to be used solely in connection with the provision of the treatment to the student; and not disclosed to anyone other than individuals providing such treatment; and
- E) Records created or received by the institution after an individual is no longer a student in attendance, and that are not directly related to the individual's attendance as a student.

## **II) Guide To Release of Student Information**

Hobart and William Smith Colleges use the highest standards of reasonableness both in providing students access to their records and in assuring the confidentiality of these records in terms of their release to third parties.

### **1) Directory Information**

The Colleges may release directory information about a student without prior permission. Directory information is defined as certain information contained in an education record that would not generally be considered harmful or an invasion of a student's privacy if disclosed. Hobart and William Smith Colleges has designated directory information, according to the Family Rights and Privacy Act of 1974 as Amended, to be the student's:

- a Full name
- b Address
- c Email address
- d Telephone number
- e Class/year level
- f Dates of attendance
- g Date of graduation
- h Degree and major, awards or honors received
- i Most recent previous educational institution attended by the student
- j Date and place of birth
- k Activities list
- l Height and weight of athletes

m Photograph

The above information may be released by the Colleges at any time to any persons or agencies deemed to have a legitimate interest. Students have the right to limit disclosure of directory information. Students are given the opportunity during the course-registration process to check the accuracy of any directory information maintained by the Colleges and to restrict the right of the Colleges to release part or all of the directory information listed. Such requests must be filed annually (by the third week of fall semester classes) or through the student self-service system via the HWS PeopleSoft website. (See "Campus Personal Information" and click on "FERPA Restrictions")

2) Restricted Information

Generally, the Colleges will not release information in a student's education records to third parties except at the written request of the student or as required or permitted by law. The following categories of information are considered confidential information and cannot be released to a third party without written consent from the student. The written consent must indicate which records are to be released (including copies of grade reports), to whom and for what purpose.

- a Student ID numbers (SSN or College ID)
- b Courses elected
- c Schedule of classes
- d Student's gender
- e Grades, academic evaluations, GPA, number of courses completed
- f Academic transcripts
- g Information directly relating to a student that is not specified as "Directory Information"

There are, however, exceptions to this release policy. Federal law allows the Colleges to release education records under specified circumstances, without the permission of the student, to certain external parties (e.g., government offices, accrediting agencies, the College Entrance Examination Board) and to certain internal Colleges personnel with a legitimate educational interest in the information. Among other things, the Colleges may disclose education records without written consent of students to the following:

- a school officials determined to have a legitimate educational interest. A school official is a person employed by the Colleges in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the colleges has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibility;
- b officials of other institutions in which the student seeks to or intends to enroll, or is already enrolled, on the condition that the issuing institution makes a reasonable attempt to inform the student of the disclosure;
- c in connection with a student's application for or receipt of financial aid;
- d organizations conducting studies for, or on behalf of educational agencies or institutions, to develop, validate, or administer predictive tests, to administer student aid programs, or to improve instruction;
- e accrediting organizations carrying out their accrediting functions,
- f parents of a student who have established the student's status as a dependent as defined in section 152 of the Internal Revenue Code of 1986 (parents may be required to show proof of the student's dependency by submitting a copy of their income tax statement).

- g in compliance with judicial orders or lawful subpoenas. In such cases, the Colleges will first make a reasonable effort to notify the student of such lawful order or subpoena before the records are released (unless otherwise specified according to the provisions outlined in FERPA regulations § 99.31(9)(ii)); and
- h persons in an emergency, if the knowledge of information, in fact, is necessary to protect the health or safety of the student or other persons.

2) Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) afford students certain rights with respect to their education records. They are:

- a The right to inspect and review the student's education records within 45 days of the day the Colleges receives a request for access.

Students should submit to the registrar or dean written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom he request was submitted, that official shall advise the student of the correct official to whom the request should be addressed. There is no charge for this service; however, if a student wishes a copy of any records and the College permits copying, a fee to cover the cost of copying will be charged.

The following are exceptions of education records that students may not inspect: confidential letters and confidential statements of recommendation placed in the student's education records prior to January 1, 1975; financial information provided by parents or guardians; or any recommendations written after January 1, 1975, to which the student has waived (in writing) the right of access.

If the education records of a student contain information about other students, the requesting student may inspect and review or be informed of only the specific information about that student.

- b The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights.

A student who wishes to amend any portion of their education records should write to the Colleges' official responsible for keeping the record in question, clearly identify the part(s) of the record they want changed, and specify why it is inaccurate or misleading. (Students may challenge the accuracy of a recorded grade, but not the legitimacy of the grade per se.)

If the Colleges decide not to amend the record as requested by the student, the Colleges will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. The student will have the right to appeal the decision to the Committee on Standards. The members of this committee will be convened promptly, and the student will be given their decision in writing by the Vice President for Campus Life or their designee. At the hearing, the student has the right to be represented by any member of the Colleges community. If the decision of the Committee on Standards is unfavorable to the student, the Vice President for Campus Life or designee will inform the student of their right to insert a comment about or an explanation of the record in question in their own file. The Vice President for Campus Life or designee will also inform the student of their right to file a complaint with the United States Department of Education. If the Committee on Standards recommends that the record in question be amended, the amendment will be made promptly and the student will be given a copy of the revised record. Additional information regarding

the hearing procedures will be provided to the student when notified of the right to a hearing.

- c The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that §99.31 of the FERPA regulations authorize disclosure without consent (see above).
- d The right to file a complaint with the U.S. Department of Education concerning alleged failures by Hobart and William Smith Colleges to comply with the requirements of FERPA.

*The name and address of the Office that administers FERPA are:*  
Family Policy Compliance Office  
U. S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)

## **II) CHOSEN PRIMARY NAME, GENDER, COLLEGE-AFFILIATION AND PRONOUN POLICY**

Hobart and William Smith Colleges recognize that their students may identify themselves with names other than their legal names and/or have gender identities and/or use pronouns different from their sex assigned at birth. The Colleges also acknowledge that a chosen primary first name, gender, and/or pronoun should be used whenever possible in the course of a student's education to ensure a supportive academic and living environment that will facilitate a healthy and welcoming educational and personal experience for all students at the Colleges. Therefore, consistent with its general practices for amending other students' records, the Colleges will permit use of a chosen name, chosen primary name, gender, and/or pronoun, provided that such use is not for the purpose of misrepresentation.

Students wishing to have a chosen first name appear on course rosters (for faculty and coaches), their student and faculty-facing PeopleSoft systems, and in other Colleges-systems such as internal health records (to the extent possible), student conduct records, and housing records may submit their Chosen Name on their PeopleSoft student center. But doing so will only change the student's chosen name in those systems and will not affect their transcript, diploma, e-mail, directory listing, or student identification card.

### **A) Chosen Primary Name**

Students wishing to have a chosen first name as their primary name which would appear in addition to the places above, may register their Chosen Primary Name. Students who are applying to or enrolled at the Colleges who have a chosen primary name may complete the Chosen Primary Name, Gender, College-Affiliation and Pronoun Request form found on the Registrar's page. The Chosen Primary Name will be reflected on all internal records of the Colleges, including, but not limited to, course rosters (for faculty and coaches), student and faculty-facing PeopleSoft systems, internal health records (to the extent possible), student conduct records, housing records, the students' Colleges identification card, directory listing, e-mail, official transcript, and diploma unless the student has requested both a new Chosen Primary Name and a Chosen Name—in such cases, the Chosen Name (treated as a nickname) will override the Chosen Primary Name but the Chosen Primary Name will still appear on transcripts and diplomas. Please note that some of the records used by the Colleges' systems (such as Payroll (including tax documents), Financial Aid, external health records used when communicating with insurance or other providers, and VISA records) are required to carry legal names and thus are unable to accommodate any name other than the student's legal name. Students who have listed a chosen primary name different from their legal first name, but who still prefer to have their legal first names and/or biological or legal sex appear on their official transcripts and diplomas, may complete another Chosen Primary Name,

Gender, and Pronoun Request Form at least 6 weeks prior to graduation to register a new Chosen Primary Name (such as the student's legal first name and/or biological or legal sex). The Registrar's Office will send a reminder each semester for students to confirm their chosen primary name.

- B) **Gender and/or College Affiliation**  
Students may list a gender other than their legal sex on the Chosen Primary Name, Gender, and Pronoun Request Form. Their gender identity will be reflected in all Colleges' systems. Students who change their gender may choose to change their college affiliation (Hobart or William Smith) in order to better match their gender identity. Choosing to change College affiliation may result in a new Dean's Office assignment.
- C) **Chosen Pronoun**  
The use of a chosen personal pronoun provides one way for students to identify themselves and their gender identity/expression. Gender and/or chosen pronouns will appear on course rosters and in other educational records. Pronouns do not appear in the Campus Directory. You can expect your Chosen primary name, gender, and chosen pronoun to be honored within the Colleges' community with other students, faculty and staff.
- D) **Registering a Chosen Primary, Gender, College-Affiliation, and/or Chosen Pronoun**  
In order to notify the Colleges of a Chosen name, gender, College-affiliation, and/or pronoun, students may complete a Chosen Name, Gender, and Pronoun Request Form ([http://www.hws.edu/offices/pdf/gender\\_request\\_form.pdf](http://www.hws.edu/offices/pdf/gender_request_form.pdf)) and submit it to the Registrar's Office or fax it to 315-781-3920.

Students who wish to request a chosen primary name, College-affiliation, gender, and/or chosen pronoun should consider submitting such requests together, as failure to do so will result in use of the gender and pronoun typically associated with the legal name and/or legal sex of record until the student submits a request for their preference.

Please be advised that changing your name and/or gender in the Colleges' student records is not the same as legally changing your name and/or sex through the courts (or in the case of sex, through a birth certificate in some states) and you may be challenged when you are asked to provide proof of your legal name and/or identity for employment or government purposes, such as obtaining a passport.

Any student requesting a chosen name, gender, and/or pronoun who does not want the Colleges to share their legal name with external organizations can request a FERPA (Family Educational Rights and Privacy Act) directory exclusion, which revokes the Colleges' right to share any of the student's information with any outside source. Requesting a FERPA exclusion means that the student will not be listed in the directory and the Colleges cannot confirm the student's status (e.g., for the purposes of credit card and insurance verifications, etc.). In addition, please note that there are some exclusions to FERPA that require the Colleges to disclose chosen primary names, Chosen names, as well as any previous names, such as to Homeland Security, and local, state, and federal law enforcement. For more information, please contact the Registrar's Office located in Demarest, 315-781-3651. Please note that it is not possible for a student to change to a Chosen primary name in the Colleges' system and simultaneously be listed by their legal name in the directory.

The Colleges encourage students to give serious consideration to the request to use a chosen name, gender, and/or chosen pronoun. Inappropriate use of this policy, as determined by the Vice President for Campus Life, may be cause for denying the request. Individuals are free to select their Chosen primary names, gender, College-affiliation, and/or chosen pronoun provided that it is not for the purpose of misrepresentation (using inappropriate names or using the process to avoid a legal obligation).

Enrolled students who wish to change their legal name and/or biological sex on Colleges records, may follow the process for changing a legal name and/or sex on official Colleges records.

E) Previous Students, Alumni, and Alumnae

Students who have transferred or withdrawn from the Colleges, alumni, and alumnae seeking to change their legal name and/or sex on Colleges' records, follow the process for changing a legal name and/or sex on official Colleges' records. Information on changing legal information can be found here ([http://www.hws.edu/offices/registrar/gender\\_policy.aspx](http://www.hws.edu/offices/registrar/gender_policy.aspx)).

# *Administrative Policies*

## **I) BILLING POLICIES**

The Business Office, which includes Student Accounts, maintains policies on billing, payment schedules, refunds, late payments, returned checks, and other procedures. The policies and procedures are located within Student Accounts web page located at [http://www.hws.edu/offices/business/student\\_accounts.aspx](http://www.hws.edu/offices/business/student_accounts.aspx) as well as within the Colleges' Course Catalogue.

## **II) FINANCIAL AID**

The Colleges are committed to providing financial assistance to students who demonstrate financial and academic eligibility and have met all appropriate application deadlines. Students who have demonstrated need as determined from information provided in the College Scholarship Service (CSS) Profile Form and/or the Free Application for Federal Student Assistance (FAFSA) will be assisted from one or more of the following: federal and state grants, employment opportunities, loans, and HWS grants/scholarships. Awards will incorporate students' abilities and promise, with the award amount varying according to the financial needs of students and their families. More information about financial aid opportunities, including the standard of satisfactory progress for determining eligibility for financial aid for HWS Baccalaureate degree programs, please visit the Financial Aid website (<http://www.hws.edu/admissions/finaid/>) or the Colleges' Course Catalogue.

## **III) LIBRARY POLICIES**

### **A) Borrowing Materials**

The Warren Hunting Smith Library is maintained by the Hobart and William Smith Colleges for use by members of the Colleges' community. The Library has developed circulation policies that reflect the Colleges' fundamental commitments to respect for intellectual freedom and open and unfettered inquiry. These policies are designed to grant equitable access to the Library's resources for all members of the HWS community. To that end, borrowers must accept responsibility for the care of library resources and for the prompt return of borrowed materials.

Students are automatically accorded privileges for the current academic year, and privileges are renewed provided one remains actively enrolled. The Registrar determines the active enrollment status. Students must present a current valid HWS identification card to exercise their privileges.

As a circulating collection, Warren Hunting Smith Library strives to maintain the balance between allowing items to circulate and retaining items so that they are available to other users. The Library categorizes items in the collections into different item types; not all items can circulate and some item types may have limited loan periods.

The Warren Hunting Smith Library will communicate via email whenever possible. The Library will, as a courtesy and whenever possible, provide the user with the appropriate notices regarding the status of items currently charged to your account. Courtesy notices are normally sent three days prior to an item being due. Overdue notices are sent on the day an item is overdue, and every seven days thereafter until the twenty- eighth day. Items that are overdue more than thirty-five days will be declared lost, and the appropriate fines and fees will be applied to your account.

As a means of allowing equitable access to the Library's resources for all members of the HWS community, users are encouraged to recall needed materials that are currently charged out. Normally, users are guaranteed a minimum loan of seven days before an item can be recalled; once an item has been recalled it must be returned by the date specified on the recall notice. Failure to return items for which an overdue recall notice has been issued will result in the application of the appropriate fine(s) as well as the suspension of all privileges until the overdue recalled items are returned.

All items that are on loan to a user are the sole responsibility of the user. Users will be held responsible for the theft, damage or loss of items that are charged to their account. A processing fee and replacement cost will be assigned to any items that are lost or damaged. Fine or fee totals in excess of \$100.00 will result in the loss of all borrowing privileges until the account is settled.

Account balances are forwarded to the Bursar's office for settlement.

For a full listing of the circulation policies, including applicable fines and fees, please see the Library's website at <http://library.hws.edu>; a printed copy of the circulation policies is also available at the Circulation Desk.

B) Interlibrary Loan Requests

Books and photocopies of articles from journals not owned by the Warren Hunting Smith Library are available via interlibrary loan to students and faculty engaged in research. In general, there is no charge for book requests, but there may be a fee for obtaining photocopies. Failure to return books by the due date will result in loss of all Library privileges until the item is returned or replacement payment is made according to fees assessed by the owning library.

C) Facilities & Services

Research assistance is available most days from the late morning through early evening hours, and by appointment. Users seeking assistance should inquire at either the Circulation or Reference Desks.

The Rosensweig Learning Commons, located on level 1, is a significant campus resource for the HWS community that brings together a richness of print and online resources. The facility includes multiple instruction spaces that allow for the flexible arrangement of people and resources to encourage collaborative learning. Photocopying and printing services are available using your HWS credentials. The upper floors of the Library provide a variety of seating and study options from single carrels to tables and soft seating. Also on the upper floors are facilities for media viewing, group studies, and study facilities for students in the Honors program.

Twenty-four hour study is available in the Barron Multimedia Lab, located off the atrium, with access to computers and printing.

D) Using the Library

The Library strives to be a place conducive to the pursuit of knowledge – which sometimes requires bodily sustenance. We ask that only beverages in closed containers be brought into the reading rooms and book stacks, and that any food be limited to small snacks.

- 1) Smoking is not allowed anywhere in the facility.
- 2) Please refrain from unnecessary use of cell phones in the facility; if you do find it necessary to use a phone please be mindful of others and respect their right to a quiet study space.
- 3) Publicly accessible Ethernet jacks are available throughout the Library. Wireless access points are also available throughout the facility, although coverage varies in the book stacks.
- 4) Posting is permitted only in the designated areas of the atrium.
- 5) Please be courteous and remove your belongings when leaving the library for any length of time, so that others can use the space. If you are leaving belongings for brief periods, please be sure that valuables are secured (the Library is not responsible for the theft of unattended items). Please return all books to a book drop after you have completed using them and please remove all litter to a trash or recycling receptacle.

#### IV) HUBBS HEALTH CENTER POLICIES

Students are accepted in a free, open and warm manner within an atmosphere of mutual respect. The staff is committed to and demonstrates sensitivity, the guarantee of confidentiality, acceptance and understanding of students from diverse backgrounds and cultures. These students represent varied racial, ethnic, religious, social and sexual orientations. A health-care team consisting of multiple registered professional and licensed practical nurses, the college physician, a nurse practitioner and physician's assistants is available to students for diagnosis, treatment, and referral, when necessary. Individual counseling for health problems is arranged by appointment; outreach to the student body for educational activities in the areas of nutrition, sexuality, diseases, etc., is also offered.



- A) **Emergency Care**  
When Hubbs is closed or a health care provider is unavailable, the student in need of medical care is advised to call their R.A., Campus Safety or go directly to Geneva General Hospital Emergency Room or Geneva General Urgent Care Center.
- B) **Excuses**  
The Health Center does not issue excuses or other documentation of office visits or medical attention. If a student is admitted to the health center or the hospital, the health center staff will notify the appropriate dean who will notify the student's professors. It is important to note that the health center does not notify anyone about an ill student without the student's written consent. The singular exception to this is when a student has a life threatening ailment or injury. If this occurs, the health center staff notifies the Vice President for Campus Life. This administrator will then assume responsibility for notification of appropriate individuals. ***This includes any and all communication with parents, friends, family and HWS staff.***
- C) **HIV Testing**  
Anonymous HIV testing is available to students at a local community health center. Please call 315-781-6303 (Trillium Health) who can provide more information. Confidential HIV testing is available at Hubbs Health Center by appointment. The cost is variable, depending on health insurance coverage.
- D) **Health Insurance**  
All full-time students are required to have some form of health insurance and are required to pay the Colleges' annual health fee. The Colleges offer an optional health insurance policy through a professional health insurance carrier. If you would like more information on this it can be obtained by visiting, [www.galagherkoster.com/hws](http://www.galagherkoster.com/hws). Students will be required to provide their health insurance information to the Hubbs Health Center and their health insurance may be billed for services.

#### V) HIV/AIDS POLICY

HIV may be transmitted by all forms of sexual intercourse without barrier protection, by exposure to blood, blood products or certain body fluids (such as semen, vaginal fluid, and breast milk), by sharing needles (as in intravenous drug use), or when there is traumatic injury from a source contaminated with the virus (such as a needle stick injury with a used needle from a person with HIV infection.) To date, casual everyday contact with a person infected with HIV has not been shown to transmit the virus.

Tests are available to identify HIV infection, and treatment is available for the complications of AIDS. Anonymous HIV testing is available through a local community health center and information is available to students at the Hubbs Health Center without charge. Confidential HIV testing is available by appointment at Hubbs Health Center. The charge for this is variable, depending on the student's health insurance coverage. In accordance with New York State law, both anonymous and confidential testing includes pre- and post-test counseling. Also, every person between the ages of 18-64 seeking services at any health facility in New York State will be asked if they would like to have an HIV test. (See also "HIV Testing," under "Health Policies" in the "Administrative Policies" section.) As recommended by the American College Health Association, Hobart and William Smith Colleges are committed to education as an important aspect of AIDS prevention and intervention. Educational programs for students, faculty, staff, and other employees address medical and epidemiological information; healthy behaviors; and misperceptions about individual and group safety or risk with regard to HIV and AIDS.

The following is a list of specific guidelines for dealing with students with AIDS or AIDS-related diseases and those with a blood test positive for HIV:

- A) The Colleges will not consider AIDS as an exclusion criterion in admission decisions or require screening of student groups.
- B) Those with AIDS or an HIV-positive blood test will not be denied access to classes, residence halls, eating places, gymnasiums, swimming pools, or other common areas.

- C) Special concerns exist regarding residency, particularly the threat to those with HIV from exposure to others with contagious diseases (chicken pox, etc.). Private rooms or other accommodations may be provided, as required, for the protection of people with HIV.
- D) The Colleges will make medical monitoring and counseling available for HIV-positive persons, people with AIDS, and other concerned students.
- E) The law in New York creates substantial protection for individuals who test positive for HIV or who have AIDS or HIV-related conditions. Information regarding persons with AIDS or HIV infection is treated with a greater degree of confidentiality than other medical information and, with a few exceptions, such information may only be released with a specific written release. However, certain HIV and AIDS information must be reported to the Department of Health and/or the County Health Officer as required by law.
- F) Educational programs emphasize that those with positive tests can transmit the disease through anal, oral, or vaginal intercourse and by sharing needles; that consistent use of condoms may reduce the risk of acquiring and spreading the virus.

## VI) MEAL PLANS

The Colleges provide dining arrangements that foster a sense of a community. We believe that having all students have at least some meals in the dining areas creates a connection between students living on and off campus. This also keeps the overall costs of meal plans lower. All students, living on or off campus, except those living in cooperative theme houses or fraternities, are required to participate in one of the boarding options offered by the Colleges' dining services (Sodexo). Specific meal plans can be found published on the Dining Services website as well as on myHousingd (housing.hws.edu).

- A) Meal Plan Options
  - 1) SAGA Meals: For use in SAGA only.
  - 2) Snack Money: Snack money is another feature adding flexibility to your dining options. Spend it like cash at SAGA Dining Hall, The Café, The Cellar Pub, ABP, and the deCordova Café featuring Starbucks Coffee. As an additional value Snack Money is tax exempt.
  - 3) Community Cash: OneCard Community Cash is another feature adding flexibility to your dining options. Spend it like cash at SAGA Dining Hall, The Café, The Cellar Pub, ABP, and deCordova Café featuring Starbucks Coffee, as well as many locations in downtown Geneva as well as larger stores such as Rite Aid and Tops Markets.

### B) Medical Exemptions

Students wishing to be excused from board obligation on medical grounds, in that dining services is unable to provide services that meet the medical requirements of the student, must apply for a medical meal plan accommodation through the Center for Teaching and Learning and specifically following the procedures for accommodations. The guidelines for requesting an accommodation is posted on the Disability Services website. General or vague medical letters, requests from non-medical persons, and requests from family members (regardless of their medical professional status) are not acceptable. The documentation must demonstrate that a situation exists that cannot be met within the normal flexibility of the food-service meal structure. The Center for Teaching & Learning will review medical information and, when appropriate, discuss the student's need with the director of dining services, the Hubbs Health Center staff, and the director of residential education, as well as other campus partners as deemed appropriate, to determine whether special dietary arrangements can be provided. If a medical accommodation is determined to be necessary, the Center for Teaching and Learning will send an accommodation letter to the director of residential education and/or their designee. Final approval for the exemption of any student from a required meal plan rests with the director of residential education.

## VII) RESPONSIBLE & ACCEPTABLE USE OF ELECTRONIC RESOURCES

Hobart and William Smith Colleges makes its technology and electronic resources available to best support the needs of the community. This requires that we develop and implement policies that protect the Colleges' electronic resources from abuse or illegal activity. A compilation of policies, currently in place, can be found here: <http://www.hws.edu/itservices/policies.aspx>

## VIII) POLICY ON MEDICAL LEAVES OF ABSENCE

The Colleges care deeply about the physical and mental health of students. Therefore, health and counseling services are available on campus. The Colleges encourage all students to use these resources, and our first concern is the health and welfare of all members of our community.

At times, however, students may experience extreme medical or psychological conditions that significantly impair their ability to function successfully or safely in the role of a student, and that require a level of care that exceeds what the Colleges can appropriately provide. Students are encouraged to prioritize their health and safety and take steps toward recovery, even if academic progress must be delayed. In such cases, a student may take a voluntary leave of absence. In situations where a student declines to take a voluntary leave, and is unable or unwilling to carry out substantial self-care obligations or presents a credible and substantial risk to their own safety or the safety of others, the Vice President for Campus Life and/or their designee (VPCL) has the authority to place the student on an involuntary leave. This policy is not intended to be disciplinary in nature, but to support the student and to maintain safety in the community.

A) Voluntary Medical Leaves of Absences

A student who experiences serious medical or psychological conditions while enrolled in any of the Colleges' programs (on-campus or abroad) may request a voluntary medical leave of absence from the Vice President for Campus Life and/or their designee. If the request is approved, the student will leave campus (or study group) within 48 hours or by a date determined by the VPCL. The student's dean will work to establish withdrawal procedures for the student's courses. Because every student's situation is different, the length of the approved leave will be determined individually. Students should check in with their dean during their leave, as leaves may not be permitted indefinitely. Moreover, the goal of taking a voluntary leave of absence is to ensure that students return to the Colleges with an increased opportunity for academic success and students should take the time to achieve this goal. Thus, students who are granted voluntary leave for medical and/or psychological issues and later desire to return to the Colleges must comply with the readmission requirements outlined below, after the medical/psychological condition has been treated and resolved.

B) Involuntary Leaves of Absences

The Colleges may require a student to withdraw if the student:

- Poses a credible significant threat of harm to the health, welfare, lives or safety of others;
- Significantly disrupts or interferes with the educational processes or living activities of other members of the HWS community; or
- Poses a significant threat to their own safety or well-being and renders the student unable to perform adequately as a student.

The student will be notified in writing that the Vice President for Campus Life and/or their designee is seeking to determine whether the student should be required to take a leave of absence. The notice from the VPCL will provide the student with information regarding procedures for an Involuntary Leave of Absence. Unless impracticable, the student will be given the opportunity to confer with the VPCL or their designee to provide information that the student wants to have considered.

Under such circumstances, students will first be given the opportunity to take a voluntary leave through the process described above. In no case will a student's mental or physical condition itself be the basis for a withdrawal required by the Colleges.

Before deciding whether to place a student on a mandatory leave of absence, the VPCL will gather information necessary to make an individualized and objective assessment of the student's ability to safely participate in his or her academic program and in the Colleges community. The VPCL and/or their designee may gather this information from various sources, including but not limited to the student, administrators and faculty from the student's school or department, the Center for Counseling and Student Wellness, the Hubbs Health Center, or other appropriate health care professionals selected by the Colleges with competent medical expertise. In order to gather the

most current information about the student, the student also may be asked to consent to a psychological and/or medical evaluation (at no cost to the student), and to provide relevant medical and/or psychological information from his/her health care provider(s). In all circumstances, the student shall have the right to present information from his/her own health care provider(s). If a student declines to consent to release the requested medical or psychological information, this declination may be included along with all other available information in the decision whether to place the student on leave.

The VPCL will conduct an individualized assessment, giving careful consideration to the opinions and recommendations of the student's health care provider(s), along with the opinions and recommendations of the health care professional(s) consulted by the Colleges, and any other information the student wishes to provide. The VPCL will ascertain the nature, duration, and severity of the risk; the likelihood of potential injury or harm; the impact of the student's behavior on the educational processes or functions or other members of the Colleges community; and whether reasonable modifications of policies, practices, or procedures or the provision of appropriate accommodations such as auxiliary aids or services will mitigate the risk. The Colleges will always consider other accommodations short of an involuntary leave. Reasonable modifications do not include changes that would fundamentally alter the student's academic program, lower academic standards, and/or unduly burden the Colleges' resources or staffing capabilities or, with respect to the required level of care or monitoring, that would exceed the standard of care that the Colleges can provide.

After reviewing the information gathered, the VPCL will make a decision and notify the student of the decision in writing. If the VPCL decides to place the student on an involuntary leave of absence, the decision letter will include all relevant terms and conditions of the leave as well as terms and conditions for application for re-enrollment at the end of the leave period. If the VPCL decides that the student may remain enrolled subject to conditions, the decision letter will describe those conditions. In such cases, the student's failure to comply with any conditions for continued enrollment may, after appropriate consideration, result in the imposition of an involuntary leave.

A student subject to this policy may appeal the decision of the VPCL to the Committee on Standards. A student who wishes to appeal must submit a written letter of appeal within five (5) days of receipt of the VPCL's decision. The letter of appeal must state why the student believes that the VPCL's decision was unwarranted under the circumstances. After reviewing the appeal letter, the committee may meet with the student, as the committee determines appropriate. In addition, the committee may review relevant documents and confer with appropriate Colleges officials before reaching a decision on the appeal. The committee will render a final decision upholding, rejecting, or modifying the determination of the VPCL or their designee as soon as reasonably possible, usually within 5 business days.

The provisions in this involuntary withdrawal policy shall not take the place of disciplinary actions that are in response to violations of the Colleges' policies and regulations, and they do not preclude the removal or dismissal of students from the Colleges or campus housing as a result of violations of the Colleges' policies and regulations.

C) Procedures for Medical/Psychological Leaves of Absence

1) Readmission Requirements after Medical Leave of Absence Duration and Deadlines

If a student leaves the Colleges for reasons of health, either voluntarily or involuntarily, normally at least one full fall or spring semester (not counting the term in which the leave was granted) must pass before the student may be allowed to return to HWS. A student wishing to return from medical leave must initiate a request for readmission by writing a letter to the Vice President of Campus Life or their designee detailing what has been accomplished during the absence.

A complete application must include:

- The student's letter petition for readmission;
- A Community Provider Report Form (found on the Colleges' website, [www.hws.edu/studentlife](http://www.hws.edu/studentlife) and then clicking Campus Life, then Medical Leave) completed and submitted by the treating physician, psychiatrist or psychologist from home;
- The student's completed Campus Life General Release of Information form (found on the same website above); and
- A required personal interview with the administrator who granted the leave in collaboration with the Colleges' physician and/or psychologist.

The completed readmission application must be received at the Colleges no later than October 1 for readmission in the spring semester and April 1 for readmission in the fall semester. If a student is petitioning in the summer for early readmission for the coming fall semester, all materials must be received by July 15. This ensures that the appropriate Colleges officials have sufficient time to review the student's request and re-enroll the student.

## 2) Required Treatment

During a medical leave of absence, the Colleges expect the student to undergo professional healthcare treatment. (For Medical-Psychological Leave of Absence, treatment should be provided by a licensed mental health provider and/or substance abuse counselor as indicated by the reason for leave.) Failure to seek ongoing treatment will raise serious doubt as to the student's readiness to return, and in such cases the Colleges may withhold readmission until appropriate treatment has been received and documented. HWS expects that health issues that result in a medical leave must be treated satisfactorily in order for the student to return to the intellectual and emotional demands, and requirements for independent adult functioning, of a college campus.

As the health and welfare of the student is a priority of the Colleges, the Center for Counseling and Student Wellness may suggest that a student's off-campus primary health care provider make contact with the student's on-campus provider, such as the Counseling Center and/or the Hubbs Health Center, to discuss the nature of the problem that led to the student's taking medical leave and discuss a treatment plan to best prepare for the student's return. To facilitate this communication, the student must provide written releases covering both parties to so that they may communicate freely with each other (found on the Colleges' website, [www.hws.edu/studentlife](http://www.hws.edu/studentlife) and then navigating to Campus Life, then Medical Leave).

## 3) Readmission Decision

Students who withdraw voluntarily or are withdrawn involuntarily from the Colleges may be considered for readmission following a determination by the Vice President of Campus Life or their designee that the conditions requiring withdrawal are adequately resolved and the student has maintained the substantially improved condition for typically three consecutive months as documented by a community mental health clinician/service provider or medical provider, depending on the reason the student initially received the medical leave of absence. Students must provide supporting information and materials to the Vice President of Campus Life or their designee sufficiently in advance of their application for readmission.

The Vice President of Campus Life or their designee makes the final decision about whether the medical problems that necessitated a medical leave have been adequately addressed, and that there is a reasonable assurance that the petitioning student will be able to complete the requirements of independent functioning on campus as well as his/her academic, emotional and other demands, without putting other HWS community members or their educations in jeopardy. The Colleges may require a student to execute an individually-tailored behavioral contract upon their return and hold students accountable to the terms of that contract.

All decisions are made on an individualized basis and in a non-discriminatory manner. The complete application is reviewed by the Vice President of Campus Life or their designee with consult from the appropriate healthcare professionals at the Colleges.

The Vice President of Campus Life or their designee communicates the decision to the student. The decision to readmit a student from a medical leave of absence is a provisional judgment that may be reversed within the first term if the medical issue that required medical leave has not been satisfactorily resolved and/or the student does not comply with any behavior contract required as a condition of their return. When permission to return is granted, any special conditions or requirements will be outlined at that time. Upon return, the student will be expected to meet periodically with his/her dean. Similarly, it is advisable for the student to establish a professional relationship with a member of either the Counseling Center or the Hubbs Health Center during the first term back.

A student may appeal a decision denying re-enrollment to the Committee on Standards by submitting a written request for review of the decision. The committee will review the student's appeal and all necessary additional information and will then render a decision, which shall be final. Decisions shall be made as soon as reasonably possible, usually within 5 business days.

D) Emergency Interim Withdrawal

If the Vice President for Campus Life or their designee has reason to believe, based on the information available, and in consultation with professionals with appropriate expertise, that the student's continued presence on campus poses an imminent threat of: (1) significant harm to an individual, including the student, or the Colleges community, or (2) disruption or interference with the normal operations of the Colleges, the Vice President for Campus Life or their designee may take immediate action to remove the student from any or all Colleges premises pending receipt and review of relevant information and a final determination.

If feasible under the circumstances, the Vice President for Campus Life or their designee will make every attempt to meet with the student before deciding on an interim withdrawal for that student. If the student is to be withdrawn, the decision will be communicated in writing to the student, the student's dean, and other units as appropriate. The Colleges will immediately contact the student's parent(s), guardian(s) and/or other listed emergency contact(s) to apprise them of the situation involving the student, and release the student to their custody so they can provide appropriate care and treatment.

During the interim withdrawal, a student may be denied access to Colleges activities, facilities and/or classes or other privileges for which the student might otherwise be eligible, as the Vice President for Campus Life or their designee may determine to be appropriate.

The interim withdrawal and any alterations to the student's privileges shall remain in effect until the Vice President for Campus Life or their designee determines that the reason for imposing the interim withdrawal of privileges no longer exists, including pending completion of any appeal process.

E) Status at the Colleges

Students who withdraw or are separated for reasons of health may be eligible for tuition, residence hall fees, meal plan fees, and financial aid refunds in accordance with existing policies of the Colleges.

Students who withdraw or are separated from the Colleges are required to remove their belongings from their residence and return keys within 48 hours from the time the withdrawal or separation goes into effect. All personal property must be removed from the room. All keys must be returned to the Residential Education office. Refund of residence hall or meal plan charges will not be considered until the room is vacated and all residence hall keys issued have been returned. Calculation of any proportionate refund, if eligible, will be determined by

such date.

## IX) VENDING POLICY

The vending policy was developed to: (a) protect the name of the Colleges, (b) maintain vending activity at a controllable level in appropriate locations on campus, and (c) prevent and/or mediate conflict between the Colleges and objectives of the student/employee vendor(s).

Vending on the campus of Hobart and William Smith Colleges is allowed subject to the following procedural guidelines:

- A) Approval  
All student vendors must obtain approval from one of the following: director of Student Activities, director of residential education, the director of athletics or the director of the College Store, depending on the nature of the product vended and the point of sale. All other vendors (including vending machine representatives) must be approved by the director of administrative services. No student has power or authority to enter into a verbal or written contract on behalf of the Colleges or clubs recognized by the Colleges.
- B) Vending Criteria  
All vending must conform to the following:
  - 1) Any imprint of Hobart and/or William Smith must accompany a club name or name of a campus- associated activity (i.e., Folk Festival, Ski Club, etc.). Hobart College, William Smith College, and their respective seals, and Hobart and William Smith Colleges are officially trademarked and may not be used without permission.
  - 2) Any use of Hobart, William Smith, Statesmen, Herons (text or graphics), the Block "H" or Block "WS," any derivation of the seals or any combination(s) thereof are protected marks of the Colleges and may not be used without permission.
  - 3) Individuals vending on campus must be current students or employees of the Colleges.
  - 4) Outside vendors are only allowed on campus when sponsored by a campus club, activity, or department.
  - 5) All persons vending on campus must comply with rules and regulations regarding designated vending areas.
  - 6) Materials sold on campus property should not be detrimental to the educational mission or image of the Colleges.
  - 7) No material sold on campus should promote the use of alcohol or the brand name of any alcoholic product.
  - 8) No material sold on campus should violate, in letter or spirit, any of the Colleges' human rights or harassment policies. Sale of racist, sexist, or homophobic materials, for example, is forbidden.
- C) Vending areas and requirements
  - 1) Vending areas on the campus are: the first floor hallway and/or front patio of the Scandling Center (reserved for students and employees only), the Barn, or the College Store. Other areas may be approved at the discretion of the campus services committee. (Vending or soliciting in residence halls is prohibited.)
  - 2) With the exception of the College Store, the NCAA, or other athletics department-sponsored students/employees, there will be no vendors allowed on Boswell Field or the William Smith playing fields or adjacent areas.
  - 3) The director of Student Activities will schedule times for all vending in the Scandling Center, the Barn, and other areas approved by the campus services committee. The College Store will schedule vending hours at the store.
- D) Accountability
  - 1) All individuals, clubs, or activities vending on campus are accountable to the approving persons stipulated above.
- E) Enforcement
  - 1) Violation of any portion of the vending policy will require an appearance before the campus services committee. Inability to meet the scheduled appearance will require notification to any committee member 24 hours prior to the designated appearance time.

- 2) Depending upon the degree of the violation, student violator(s) may be subject to an appearance before the William Smith Judicial Board and/or the Hobart Student Court, where appropriate sanctions—including suspension of vending rights—may be levied.
- 3) Employees found in violation of the policy will be subject to an appearance before his/her respective senior staff supervisor for counseling or disciplinary follow-up.
- 4) Further violation (beyond this point) will be handled directly through the Vice President for Campus Life or designee and, in the case of employees, the Office of Human Resources.

NOTE: It is the obligation of student vendors to investigate and assume all responsibilities for any legal, tax, or liability issues related to their product(s) and/or related vending procedures. The Colleges do not assume any responsibility for issues related to student or student-sponsored products or vending procedures. The Colleges assume no responsibility for the standards, quality, or integrity of merchandise sold.

#### **X) USE OF THE COLLEGES' NAME AND INSIGNIA**

No student organization or individual student of the Colleges shall use the name of Hobart and/or William Smith College(s) or purport to represent the Colleges or their students by public performance, publication, intercollegiate or national affiliation, or by participation in activities not strictly intercollegiate without permission from the Colleges. Authorization must be secured from the Vice President of Communications. The Colleges' Graphic Standards Manual ensures the consistent use of the Colleges' marks in print and electronic media. The Graphic Standards Manual, found at [https://www.hws.edu/news/graphic\\_standards.aspx](https://www.hws.edu/news/graphic_standards.aspx), outlines how members of the Colleges' community may use the Colleges' name, logos, and other items. Exceptions to the policies, guidelines, and standards of the Graphic Standards Manual must be approved by the Vice President of Communications and Marketing.

#### **XI) VEHICULAR TRAFFIC AND PARKING REGULATIONS**

The arrangement of the Colleges' buildings, roadways, sidewalks, and parking areas in the central campus area is designed to accommodate pedestrian traffic. The system is not meant to accommodate driving a vehicle to and from classes, meetings, clubs, athletics, meals or running errands. A vehicle should be considered a means to get to and from areas off campus. Parking enforcement efforts are intended to maintain compliance with the established regulations for the safety of the campus community and protection of the campus environment. The Colleges' Parking and Traffic Regulations Handbook can be found on the Office of Campus Safety website, or by navigating to: [http://www.hws.edu/studentlife/pdf/parking\\_traffic\\_regs.pdf](http://www.hws.edu/studentlife/pdf/parking_traffic_regs.pdf).

All vehicles that park on campus are required to properly register their vehicle and obtain a parking permit through the Office of Campus Safety. Vehicles can be registered online (<http://parking.hws.edu/>). Upon completion, individuals may bring their HWS OneCard to Campus Safety and their vehicle's registration to pick up the parking permit.



# ***Student Conduct Process***

## **I) STUDENT CONDUCT SYSTEM**

Hobart and William Smith Colleges seek to create an environment that promotes the intellectual and personal development of their students. The Colleges are simultaneously responsible for protecting the individual rights of students, staff, and faculty and meeting the general needs of the community. The policies pertaining to the community, academic issues, personal and safety issues, and general administration of the Colleges reflect and establish the standards and expectations for all members of the Colleges in order for these goals to be obtained.

The student conduct process is yet another aspect of the educational process at the Colleges. It is intended to instill and reinforce the values and the policies of the community and to further students' knowledge about the standards of the Colleges and their development of behaviors that are appropriate in a learning community. The process should facilitate students' understanding of the principle that individual freedom is tied to an acceptance of full responsibility for one's actions and the associated consequences. In particular, the process should promote the development of respect for others, ethical judgment, and a sense of responsibility for what occurs in the Colleges' community.

Students are not only members of the Colleges' community but also are members of the larger society. In cases where a student's behavior violates local, state, or federal law, the student may become involved in civil or criminal proceedings independent of the Colleges' proceedings, as well as the Colleges' student conduct system.

## **II) CRIME STATISTICS**

Crime statistics reported to campus authorities are reported annually to the federal Department of Education and distributed to all faculty, students and staff by Oct. 1 of each year. The report is maintained on the Colleges' Web site and can be viewed at [http://www.hws.edu/pdf/living\\_safely.pdf](http://www.hws.edu/pdf/living_safely.pdf).

In compliance with Article 129-A of the New York State Education law, "The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education." Requests for campus crime statistics should be directed to the Director of Campus Safety at 315-781-3000.

## **III) JUDICIAL AUTHORITY**

- A) Disciplinary authority arises with the Board of Trustees and is vested in the Vice President for Campus Life (VPCL). The VPCL may, at her/his discretion, direct cases to be adjudicated by hearing boards or officers.
- B) The VPCL, or a designee, may impose conditions on a student's continued relationship with the College during the judicial process. Established time limits and any other aspects of judicial proceedings may be altered at the discretion of the VPCL.

## **IV) JURISDICTION OF THE COLLEGES**

The Colleges may begin judicial proceedings against any student, whether enrolled or on-leave, who has violated these Community Standards or any other policies of the Colleges, whether the behavior occurred on or off campus. By voluntarily choosing to affiliate with Hobart or William Smith College, students accept the responsibility to comply with the regulations outlined in the Community Standards, which apply to behavior both on and off campus. Therefore, Colleges' jurisdiction and discipline shall generally include conduct which occurs on and off the Colleges' premises or which adversely affects members of the Colleges' community or the pursuit of the Colleges' mission.

## **V) HEARING BODIES**

- A) The Vice President for Campus Life or designee  
Ultimate responsibility for the maintenance of campus discipline rests with the administration and trustees. Accordingly, notwithstanding any provisions of the student constitutions or bylaws, the Colleges reserve the right to discipline, place on probation, suspend, or separate any student

whose conduct or academic standing is unsatisfactory, without prior hearings before the student boards or other campus committees. The Vice President for Campus Life or their designee often conducts an administrative review of a student, which is a regular component of the Colleges' student conduct system. Such a review is the equivalent of a hearing. Reviews and hearings may be conducted by the Vice President for Campus Life and/or his or her designee, typically the Associate/Assistant Vice Presidents for Campus Life and other members of the Campus Life team, including Residential Education staff members. The VPCL may also choose to convene a panel of hearing officers.

B) Committee on Standards

The Committee on Standards (COS) consists of three faculty members elected by the faculty; two students, one from each college, elected by the respective student government; the Assistant Vice President or their designee (in cases of student conduct cases), and two dean's staff members, one from each college, ex officio. The COS receives annual training to fulfill its duties and is responsible for hearing all cases involving academic standards and issues of academic integrity. As well, the Vice President for Campus Life or their designee will typically refer to the Committee all cases that involve violations of policy in which: (1) a person was or could have been seriously physically harmed; (2) a person's safety was threatened; (3) extensive damage to Colleges' property occurred or could have occurred; (4) the student charged with the violation is a repeat offender of Colleges' policies; (5) staff and/or faculty members are involved in the incident; or (6) a club or organization's standing at the Colleges may be affected. The Committee will initiate a disciplinary hearing at the request of the Vice President for Campus Life or their designee. However, the Committee has the right to refuse to hear a case if it decides that it is not the appropriate body, or if it determines the evidence is not sufficient to support continuation of the hearing process. The Vice President for Campus Life may also determine, including through a recommendation from the Committee, that the matter should be heard by an appropriately trained external adjudicator retained by the Colleges to hear the claim. The Committee will adhere to the general guidelines for disciplinary hearings or explain the basis for its deviation from those guidelines in any instance in which such deviation is deemed advisable by the Committee.

1) Procedures for Violations of Academic Integrity

Ordinarily, any student suspected of any violation of the principle of academic integrity defined previously, or suspected of assisting another student in such an act, will be reported to the dean of the student's college. The dean will gather the appropriate documentation and meet with the student involved. The dean will review of the student's file, confer with the reporting faculty member, and, if appropriate, refer the matter to the Committee on Standards for a hearing to determine whether a violation occurred and any sanction. The grade for the particular assignment will be withheld until the Committee has concluded its hearing. If the alleged violation involves academic work submitted at the time of final examinations, the grade for the assignment and the entire course will be withheld until the Committee has concluded its hearing.

The procedure of the hearing is determined by the chair of the Committee on Standards. Typically, it includes reviewing the evidence and questioning the course instructor, the student, and any witnesses with direct and relevant information about the matter. The chair of the Committee on Standards reserves the right to adjust the procedures of the hearing depending on the needs of a specific incident or hearing.

After conducting the hearing, the Committee will reach a decision whether the student violated academic policies, and decide what sanction, if any, to impose. In reaching a final decision regarding sanctions, the student's complete record while at the Colleges will be considered. The Committee may recommend a grade to the course instructor. The Committee will inform the student of its decision on responsibility and on a sanction at the close of the hearing, or shortly after. The final decision about a grade rests with the instructor.

2) Procedures for Violations of Non-Academic Policies

The hearing will be arranged by the Committee on Standards and the Office of Campus Life. Students who are requested to appear before the Committee on Standards for allegedly violating the Community Standards will receive a notice of the day and time of the hearing. In addition, the alleged student (respondent) will have the opportunity to have a pre-hearing meeting with the Assistant Vice President for Campus Life or their designee. During a pre-hearing meeting, the respondent will review the procedures of the hearing, review and request any witnesses, and receive (if available) all evidence to be presented at the hearing which is available at the time of the pre-hearing (if additional evidence becomes available, the alleged student will receive that information as it becomes available).

The procedure of the hearing is determined by the chair of the Committee on Standards. Typically, it includes reviewing the incident and evidence through presentation by a member of the Campus Life staff, a statement from the respondent and questioning by the panel, and a statement from the complainant if they wish to appear, as well as questioning. In addition, any approved witnesses by the Colleges or the parties involved will be also be presented. The chair of the Committee on Standards reserves the right to adjust the procedures of the hearing dependent on the needs of a specific hearing or incident.

After conducting the hearing, the Committee will reach a decision whether the student violated campus policy, and will communicate responsibility and any sanctions. In reaching a final decision regarding sanctions, the student's complete record while at the Colleges will be considered. The Committee will inform the student of its decision and recommendation at the close of the hearing.

C) Hobart and William Smith Judicial Board

As part of the educational process for addressing student misconduct, Hobart and William Smith Colleges have a peer-level student conduct board. In adjudicating individual cases, the Board seeks to prevent inappropriate behavior from recurring in the future and assist students in being positive contributors to the HWS community. Although other types of cases may be referred to the board by the Vice President for Campus Life or designees' discretion, the board will typically adjudicate cases when students have violated residence hall policies or engaged in disorderly conduct.

1) Membership

- a The Judicial Board is composed of a pool of 7-10 student justices who are in good judicial standing, have applied and interviewed through an application process by Campus Life, and have been approved by the Hobart Student Government and William Smith Congress. The pool of justices will be identified by Spring of the preceding year. The board should have representatives from all undergraduate class years. For the first 6 weeks of the Fall semester, the board may meet without representatives from the first-year class as the representatives are identified and approved.
- b Student justices may re-apply for additional terms.
- c The Board is also supervised by a board advisor, typically a member of the Campus Life division, who handles scheduling of hearings, communication with students who have allegedly violated the Community Standards, and ensures appropriate training is given and that procedures are followed.

2) Chairperson

- a A Chairperson shall be elected by the members of Judicial Board at their first meeting. The chairperson's term shall last the entirety of the academic year unless vacated.
- b In the situation where a Chairperson is unable to preside over a specific hearing, the chairperson may assign a designee with consult from the advisor(s).
- c If the Chairperson vacates their position during the academic year, the advisor may appoint an interim Chairperson.

3) Meetings

- a There must be at least five members of the board present at each meeting, including the Chairperson (or their designee).

- b The board will have a standard, weekly meeting time; at the discretion of the advisor, the meeting may be canceled if no hearings are expected.
  - c An ad-hoc judicial review board may be called based on case load at the discretion of the advisor and the availability of student justices.
- 4) Procedures
- a As with any other hearing, students who have allegedly violated the Community Standards shall receive an electronic invitation to meet.
  - b During the hearing, students involved in an incident have the opportunity to discuss items relevant to the specific incident and the justices have the ability to ask fact-finding questions as it relates to the specific incident.
  - c Student justices will come to consensus for any violations and sanctions. The advisor provides guidance if justices are unable to make a decision or the violation/sanctions do not align with the incident.
  - d In every case, the individuals involved shall be notified of the hearing outcome within approximately 5 business days of the hearing.
  - e Appeals to the decisions set forth by the Judicial Hearing Board follow the same procedures as appeals to any decision made by any hearing body, which are set forth in Appeals section of the Community Standards.

## VI) COMPLAINTS & HEARINGS

- A) Any member of the Hobart and William Smith Colleges community may file a complaint against a student for alleged violation of the Community Standards. All complaints shall be in writing and directed to the Vice President for Campus Life or designee. The Colleges may also institute a complaint, with a campus safety incident report or other appropriate documentation serving as the initiating document. Complaints may be filed via incident reports with the administration, incident reports with a paraprofessional staff member (i.e. resident assistant), Campus Safety reports, and Police Reports or neighborhood disturbance reports, among others. All complaints should be filed as soon as possible after an alleged violation of the Community Standards.
- B) The full adjudication process for violations of the Community Standards is outlined in section VII of the Community Standards. Normally, the VPCL shall assign an administrative review officer, or officers, for an administrative review or convene the Committee on Standards based upon the complexity and/or severity of the alleged violation of Community Standards. A complaint filed with the VPCL shall normally be directed to the Committee on Standards if it fulfills one or more of the following criteria:
- 1) the alleged violation has wide ranging community implications;
  - 2) the alleged violation includes significant uncertain questions of fact
  - 3) the alleged violation has not been previously encountered within the Colleges community
  - 4) The alleged behavior may constitute a violation of academic integrity.

However, the VPCL or their designee may choose to hear any case as an administrative review, or retain an external adjudicator, and may impose any sanction(s) listed in the Sanctions section of this document.

- C) The administrative review officer shall make a determination of responsibility for the alleged violation and, if appropriate, may impose sanctions.
- D) The Committee on Standards, hearing panel, or hearing officer shall make a determination of responsibility for the alleged violation and impose any sanction(s) listed in the Sanctions section of this document.
- E) The judicial process is intended to provide the student an opportunity to respond to allegations of violations of the Community Standards, thereby enabling the Administrative review officer, hearing panel/officer, or the Committee on Standards to make an informed decision about responsibility and appropriate sanctions. However, if a student fails to respond to communications (in the form of written notification, telephone, e-mail, or oral requests) attempting to schedule a meeting, or fails to attend a scheduled meeting, a decision based upon available information may be rendered in absentia.

## VII) DISCIPLINARY PROCEDURES

Cases will be directed to the appropriate hearing body by the Vice President for Campus Life or designee.

### A) General Guidelines for Disciplinary Hearings

These are the general guidelines for all hearing bodies:

- 1) Although there is no statute of limitations in matters involving any alleged violation of community standards, a hearing is normally conducted in a timely fashion, as close to the date of the alleged violation as possible.
- 2) Proceedings of all hearings are confidential. Members of the hearing panel and the student(s) involved may not discuss testimony or evidence with any person not on the board or not directly involved in the case.
- 3) Legal counsel and parents may not be present at the hearing.
- 4) In a Committee on Standards hearing, the complainant and the respondent have the right to be present to hear all testimony.
- 5) The standard of proof in all judicial cases shall be a preponderance of the evidence.
- 6) Students shall generally be given the opportunity to present relevant information and witnesses on their behalf. All testimony and evidence presented is at the discretion of the hearing officer and/or the chair of the hearing panel.
- 7) Records of a hearing will be maintained:
  - a) The proceedings of a Committee on Standards hearing will be tape recorded. The tape will be kept for 5 years and is only available to the Vice President for Campus Life or their designee, in order to assist the Vice President for Campus Life or their designee in determining the validity of an appeal.
  - b) In other administrative hearings, written records will be maintained by the hearing officer and notes will be inputted, when deemed necessary, into the Colleges' judicial system.
- 8) Students accused of violating Colleges' policy and whose cases are referred for hearing by the Committee on Standards or other committee (with the exception of the HWS Judicial Board) shall generally have a pre-hearing conference with the Vice President for Campus Life or their designee.
- 9) Students who allegedly violated the Community Standards will be notified in electronic writing of the final decision. Students may appeal decisions under specific situations (See Appeals section).
- 10) As the Colleges determine whether a student is in violation of any of the Colleges' policies, using the appropriate evidence and judicial history of the student and based on the severity of the violation, the hearing body also may apply any sanction (listed in the Sanction section of this document) to any violation.
- 11) All interpretation and revision of this policy is at the discretion of the Vice President for Campus Life and their decisions are final and not subject to further review.

### B) Sanctions

Some cases may require a variety of disciplinary actions. The Colleges reserve the right to apply any sanction to any violation, and to notify parent(s)/guardian(s) of alleged violations of the Community Standards and/or sanction(s) when deemed appropriate. Failure to abide by or complete any sanction shall result in a separate violation for an abuse of the disciplinary system

All appropriate sanctions may be imposed upon groups and organizations. Groups and organizations may further receive a sanction which results in loss of College recognition for a specified period of time. In most cases, one or more of the following sanctions is employed:

- 1) **Warning**  
This is written notification that a student's behavior is in violation of Colleges' policy.
- 2) **Reprimand**  
A student may receive written notification of extreme disapproval for the violation.
- 3) **Restitution**  
A student may be held financially responsible for damages or may be fined.
- 4) **Educational activity**

This may include, but is not limited to a public presentation, written reflection, seminar, research project, or hours of service to a department or agency that would help the student better understand their behavior and its consequences. Educational activities may also include individual meetings or assessments.

- 5) **Revoking privileges**  
This may include the forfeit of housing lottery privileges, or excluding the student from participating in certain activities, clubs or organizations.
- 6) **Residential re-assignment**  
Requiring the student to relocate elsewhere on-campus (to be determined solely by the Residential Education office in consult with the appropriate hearing officer). This may include requiring a student who has been granted off-campus status to return to campus.
- 7) **Probation**  
A stringent warning may be issued in response to more serious or frequent violations of Colleges' policy. Probationary status is issued for a stated period of time and may include specific restrictions on the student.
- 8) **Fines**  
The student may be assessed a fine as a penalty for the inappropriate behavior typically as restitution for damages.
- 9) **Deferred Suspension**  
Deferred suspension places a student with a more serious or frequent violations of Colleges policy on notice regarding their behavior. During this deferment, if any violation of the Colleges' policy is confirmed the required withdrawal from the Colleges is the next step. A deferred suspension is issued for a stated period of time and includes specific restrictions on the student.
- 10) **Required withdrawal/Suspension**  
Required withdrawal removes the student from the Colleges for a stated period of time. This may include prohibiting the student from attending classes, social events, or other functions, being employed by the Colleges, or visiting Colleges' grounds or facilities without the written permission of the Vice President for Campus Life or designee. In all cases, the student must apply to the Vice President for Campus Life or designee for readmission through the Office for Campus Life.

Students who are separated from the Colleges are required to remove their belongings from their residence and return keys within 48 hours from the time of withdrawal or separation goes into effect. All personal property must be removed from the room. All keys must be returned to the Residential Education office.

- 11) **Permanent separation**  
In the case of a permanent separation, the student is required to leave the Colleges and is not eligible for reinstatement.
- 12) **Degree Revocation**  
Revocation of any degree conferred by the College.

C) The Colleges' Hearing Process & Responses for Alcohol and Other Drug (AOD) Violations  
Hobart and William Smith Colleges recognize the important link between intellectual growth within the classroom and the social and emotional development that students experience in their daily lives. When students make choices that violate the Colleges' policies, an educational response is the ideal approach to help students to think about their options and the decision-making process.

However, when there have been incidents that place the student and/or others at the risk of harm, or when there have been repeated offenses, other steps, such as a referral to the Director of Alcohol and Other Drugs Prevention and/or the Center for Counseling and Student Wellness, might be necessary. In addition, some incidents may call for more traditional disciplinary action such as probation or suspension. When an incident involves violations of the alcohol and other drug policy and other policies, other sections of the Handbook of Community Standards will be invoked as well.

The Colleges respond to alleged violations of the Handbook of Community Standards, based on the severity of the incident, by assigning an incident to the Vice President for Campus Life or his/her designees. In general, this may include the Hobart and William Smith Judicial Board, residential education staff members, the Assistant Vice President or Associate Vice President, the Vice President for Campus Life, the Committee on Standards, or other members of the Campus Life team. Based on the severity of the incident and the student's past behavioral record, a variety of sanctions can be applied, including (but not limited to) reflective assignments, residential re-assignments, social probation, deferred suspension, suspension, or required withdrawal. In all cases, an educational sanction will be required.

1) Group Accountability

Student groups that violate the Policy on Alcohol and Drugs face the possibility of the loss of privileges and/or funding, and the suspension or permanent withdrawal of the right to operate as a recognized student group. Similarly, recognized Greek-letter, clubs, club sports, and other organizations that violate the Policy on Alcohol and Drugs face the possibility of the suspension or permanent withdrawal of recognition or other sanctions.

2) Disciplinary sanctions and responses

In addition to disciplinary sanctions which may be imposed, the Colleges may mandate an assessment and/or other educational measures as may be appropriate to safeguard the health and well-being of the group, its members, and the larger community. In general, the educational responses may include:

- o Alcohol and Other Drugs seminars
- o Online education
- o Brief Interactive Screening (BASICS)
- o One-on-One Assessment with the Director of Alcohol and Other Drugs
- o FLACRA Referral

While sanctions will depend on the severity of the incident and past behavioral record, in some cases, specific sanctions will apply.

In cases where a student has been:	Sanctions may include, but not be limited to,
<b>medically transported for alcohol intoxication or drug use for the first time</b>	<ul style="list-style-type: none"> <li>• Educational sanctions</li> <li>• parental notification</li> <li>• social probation.</li> </ul> <p><i>An additional transport within a 12 month period will require a required withdrawal for a minimum of one full academic semester.</i></p>
<b>found responsible for use, under the influence, or in possession of cocaine, or distributing drugs</b>	<ul style="list-style-type: none"> <li>• Required withdrawal for a minimum of one full academic semester.</li> <li>• Educational sanction</li> </ul>
<b>found to be driving while ability impaired (DWAI)</b>	<ul style="list-style-type: none"> <li>• Educational sanction</li> <li>• Social probation through required withdrawal is a likely outcome</li> <li>• Upon return, parking privileges will be suspended</li> </ul>
<b>has been found previously responsible for one AOD violation during the same semester (or consecutive 120 days).</b>	<ul style="list-style-type: none"> <li>• Social probation for a period of four weeks</li> <li>• Educational sanction</li> </ul>
<b>has been found previously responsible for two AOD violations during the duration of one academic year.</b>	<ul style="list-style-type: none"> <li>• Social probation for at least one semester.</li> <li>• Educational sanction</li> <li>• Parental notification</li> </ul>

<p><b>has been found previously responsible for three or more AOD violations.</b></p>	<p>Depending on severity of the incident, may include an educational sanction and:</p> <ul style="list-style-type: none"> <li>• Deferred suspension</li> <li>• Suspension</li> <li>• Permanent separation</li> </ul>
<p><b>participating in behavior that suggests they are repeatedly unable to make healthy decisions about alcohol and/or other drug use, or the student engages in other practices associated with alcohol or other drugs that threaten the life, health or safety of him or herself, or others.</b></p>	<ul style="list-style-type: none"> <li>• The Colleges may recommend a student to take a Medical Leave of Absence for alcohol and drug use. This normally includes a provision for the student to receive care (medical, psychological, counseling or therapy) while on leave. These procedures will follow the protocols outlined in the Medical Leave of Absence policy in the Community Standards. The Campus Life staff will determine if all criteria have been met and if the student is eligible to return.</li> </ul>

Campus Life values the involvement of athletic staff in the judicial process: all coaches of student athletes may be notified of any violation of the Community Standards.

***Sanctions of suspension or expulsion may be relevant in some cases and thus the guidelines above are simply to be used as general guidelines related to disciplinary sanctions. The Colleges reserve the right to assign any sanction to any violation.***

Hearing bodies may also assign other sanctions, depending on the specific circumstances of the situation. Such sanctions are outlined in the Community Standards.

D) Records

All disciplinary records will be maintained in the Colleges' judicial system ("Maxient") and will be accessible by the Dean of the appropriate college and other sanctioned administrators, in compliance with the Education Records section of this document.

E) Transcript Notation Policy for Crimes of Violence

1) Notation Procedure

Pursuant to New York State Education Law, Article 129-B § 6444.6, if a student is found responsible through HWS's conduct process for crime(s) of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act (20 U.S.C. § 1092(f)(1)(F)(i)(I)-(VIII)) ("Clery crimes of violence"), the Vice President for Campus Life and/or their designee will direct that a notation be placed on the student's transcript.

- Where the sanction is a suspension, the following notation will be used: "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."
- Where the sanction is expulsion, the following notation will be used: "EXPULSED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."

If a student respondent withdraws from HWS while such HWS conduct charges are pending for allegation(s) related to Clery crimes of violence, and the student declines to complete the student conduct process, the Vice President for Campus Life and/or their designee will direct that the following notation be placed on the student's transcript: "WITHDREW WITH CONDUCT CHARGES PENDING."

- Students who withdraw from HWS and decline to complete the student conduct process forfeit any right to resume the conduct proceedings at any point in the future.



- Conduct charges are considered "pending" once a student is informed in writing that there are allegations that the student may have violated HWS's Code of Conduct.

2) Further Appeals

A student whose transcript states "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" may appeal, in writing, to the Vice President for Campus Life to have the notation removed. Appeals may be granted if:

- (1) One year has passed since the conclusion of the suspension;
- (2) The student has completed the term of suspension and any conditions thereof; and
- (3) The Vice President for Campus Life and/or their designee has determined that the student is once again "in good standing" with all applicable HWS academic and non-academic standards.

A student whose transcript states "EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" or "WITHDREW WITH CONDUCT CHARGES PENDING" is ineligible to appeal to have the notation removed. Students who were expelled or withdrew with such notifications on their transcripts will leave HWS with the status "not in good standing" and will be ineligible for readmission to HWS, absent any vacating of a finding of responsibility.

If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

3) Status

A student's status (i.e. "enrolled," "leave of absence," "suspended," etc.) is not considered a transcript notation and is always reflected on a student's transcript for each term.

F) Appeals

A student may appeal the outcome of a conduct hearing or administrative review when sanctions range from probation through permanent separation or the student is being residentially re-assigned. An appeal must be submitted by the student, in writing, with relevant documentation, within the time stipulated by the hearing officer or board hearing the case or, if unstipulated, within five calendar days of the date on which the official notification of the decision was written.

1) Criteria for appeals

Student appeals will be considered when any of the following apply:

- a A student has new evidence that could not have been brought forward at the time of the hearing;
- b A student believes procedural violations occurred;
- c A student believes the sanction is grossly disproportionate to the conduct committed.

2) Process

Appeals for decisions and sanctions administered as a result of a student conduct board hearing or a hearing by a member of the Residential Education staff will be evaluated by the Assistant Vice President and Dean of Student Engagement and Conduct. The appeal decision is final.

Appeals for decisions and sanctions administered as a result of a hearing by other Campus Life staff, including the Assistant Vice President for Campus Life and Dean of Student Engagement and Conduct, will be evaluated by the Committee on Standards. The appeal decision is final.

Appeals for decisions and sanctions administered as a result of a student conduct hearing by the Committee on Standards will be evaluated by the Vice President of Campus Life with input by the Dean of Hobart College, Dean of William Smith College, and the chair of the Committee on Standards. The appeal decision is final.

Appeals for decisions and sanctions administered as a result of an academic hearing by the Committee on Standards may be submitted to the Dean of Hobart College and the Dean of William Smith College. The deans will consult and recommendations for appeal will rest with the student's dean.

For all student conduct appeals, the appeal officer will review the case and determine whether to uphold the original outcome, send the case to a new hearing, or revise the outcome. For academic appeals, the dean may refer the case back to the Committee on Standards. The decision of the appeal officer is final and no further appeals are permitted. All student conduct appeals should occur in writing and be submitted via the Appeals Form on the Campus Life website and academic appeals in writing to the student's dean.

G) Interim Suspension

- 1) The Vice President for Campus Life or designee may impose an interim suspension for the following reasons:
  - a To ensure the safety and well-being of members of the College community or to preserve College property;
  - b If a student poses a threat of disruption or interference with the normal operations of the Colleges.
- 2) During the interim suspension, a student may be denied access to the Colleges activities, facilities and/or classes or other privileges for which the student might otherwise be eligible, as the Vice President for Campus Life or their designee may determine to be appropriate.
- 3) The interim suspension or altered privileges shall remain in effect until a final decision has been made regarding pending complaints or until the Vice President for Campus Life or designee determines that the reason for imposing the interim suspension of privileges no longer exists.
- 4) A student may appeal an interim suspension if they believe the interim suspension is grossly disproportionate to the alleged conduct, do not believe there is an on-going concern for the safety or well-being of the community, and believe there is not a threat of disruption or interference to the operations of the Colleges. An appeal must be submitted within five (5) calendar days in writing to the Vice President for Campus Life via the Student Conduct Appeal form on the Campus Life website ([www.hws.edu/studentlife/student\\_affairs.aspx](http://www.hws.edu/studentlife/student_affairs.aspx)). The VPCL may consult with the Committee on Standards, Dean of Hobart College, and Dean of William Smith College in evaluating the appeal. All appeal decisions are final and will be communicated to the student within two (2) business days.

H) No Contact Order

"No-Contact Order" is a directive that mandates that students are not to have contact in any way, including in person, via e-mail, telephone, text messaging, social media (i.e. Instagram, Facebook, Twitter, and any other platform) or any other method of electronic or direct communication. The order also includes third parties acting on either students' behalf. The Colleges may issue a "No-Contact Order" when it is deemed necessary to provide any or all students an opportunity to participate fully in the life of the Colleges. A student who violates a "No-Contact Order" shall be considered to be in violation of the Community Standards (specifically, Failure to Comply) and shall be subject to sanctions at any level. "No-Contact Orders" may be issued by the Vice President for Campus Life or the Assistant Vice President for Campus Life and Dean of Engagement and Conduct (AVP-DEC) or their express designees; in instances that may fall under the Sexual Misconduct Policy, "No-Contact Orders" may be issued by the Title IX Coordinator or the Deputy Title IX Coordinator.

On-call staff and incident responders, most often Campus Safety and Residential Education staff, may issue verbal no contact orders. These verbal no contact orders are directives to de-escalate situations. When a verbal no contact order is issued, the issuer will notify the AVP-DEC who will evaluate whether there is an on-going need for a formal no contact order and contact the students.

Modifications to a “No-Contact Order” may be requested by contacting the administrator who issued the “No-Contact Order” or the AVP-DEC. All parties, including the alleged student (also known as respondent), will be given explicit notice of the “No-Contact Order,” including notification that any violation will result in additional student conduct charges.

If a student believes a no contact order directly and unduly impacts their ability to participate fully in the life of the Colleges, they may appeal the no contact order to the Vice President of Campus Life within 5 business days of the directive being communicated in writing. To appeal, the student would visit the Campus Life section of the HWS website ([http://www.hws.edu/studentlife/student\\_affairs.aspx](http://www.hws.edu/studentlife/student_affairs.aspx)) and click Student Conduct Appeal.

#### I) Withdrawal and Readmission

If a respondent voluntarily withdraws from the Colleges while a complaint is under investigation for prohibited conduct, when the Respondent chooses to withdraw from the Colleges' prior to the conclusion of the formal judicial process, the Vice President for Campus Life or their designee may direct the Registrar to make a notation on the academic transcript of the respondent (see the Colleges' Transcript Notation Policy for more information). Should the student re-apply for admission to the Colleges, the judicial process will resume.

If the complaint cannot be resolved because the complainant, witnesses or evidence are not available, re-enrollment shall normally be denied. Permission for readmission shall be granted solely at the discretion of the VPCL or their designee.

#### J) Abuse of the Judicial System

The following behaviors are not permitted, including, but not limited to:

- a Failure to comply with the directive to appear before a hearing panel or administrative review officer.
- b Falsification, distortion, or misrepresentation of information before a hearing panel or administrative hearing officer.
- c Disruption or interference with the orderly conduct of a judicial proceeding.
- d Knowingly instituting a complaint that another member of the Colleges community has violated the Community Standards or other Colleges' policies without cause.
- e Influencing or attempting to influence another person to commit an abuse of the judicial system.
- f Attempting to prevent an individual's proper participation in, or use of the judicial system.
- g Attempting to influence the impartiality of a member of a hearing panel or of an administrative review officer prior to, and/or during the course of, the judicial proceeding.
- h Inappropriate behavior or conduct and/or intimidation of any person involved in a judicial proceeding prior to, during, and/or after that judicial proceeding.
- i Failure to comply with a sanction imposed under the Community Standards.

#### K) Interpretation and Revision

Any question of interpretation regarding the Community Standards shall be referred to the VPCL or designee for final determination.

A review of the Community Standards shall be coordinated by the VPCL every four years, but the Community Standards may be revised when deemed appropriate by the VPCL.

# *Prohibited Conduct*

## I) INTRODUCTION

One of the goals of the Colleges is to provide an environment in which all members are treated and treat others respectfully. Disrespectful behavior will not be tolerated in the HWS community. The Colleges do not allow any member of the community to engage in behavior that endangers the safety or well-being of others or themselves. Disciplinary proceedings may occur as a result of a student's behavior anywhere off campus. Behavior that reflects negatively on the reputation of the Colleges and its students is, in and of itself, grounds for possible disciplinary action.

## II) RULES & REGULATIONS

### A) Disorderly or Disruptive Conduct

1) Behavior or conduct which includes any actions that are obscene, disruptive, or which unreasonably disturb others, including abusive language to students, faculty, staff, and other employees. The Colleges do not allow any member of the community to engage in behavior that endangers the safety or well-being of others or themselves. This includes behavior or conduct resulting in obstruction or prevention of teaching, research, administration, disciplinary proceedings, student organization, other Colleges' activities or events, including its functions on or off campus, or other authorized non-Colleges' activities, when the act occurs on Colleges' premises.

2) Any behavior or conduct which is disorderly or disruptive

B) Interpersonal Violence/Physical Assault: Physical abuse and/or other conduct which threatens or endangers the health, well-being or safety of any person.

C) Harassment: Any threat of use of violence, intimidation, either verbal or physical, against others, is strictly prohibited.

D) Reckless Endangerment: Behavior or conduct which places any person or persons at risk for injury or death regardless of whether such injury or death actually occurs.

E) Bullying: Any intentional electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that cause physical or emotional harm to another student, group of students, faculty members, or staff members. Bullying conduct may not only cause a negative effect on individuals targeted, but also others who observe the conduct. Bullying conduct is severe, persistent, or pervasive and has the effect of doing any of the following: (i) substantially interfering with a community member's education, employment, or full enjoyment of the Colleges; (ii) creating a threatening or intimidating environment; or (iii) substantially disrupting the orderly operation of the Colleges.

F) Intimidation: Any verbal, written, or electronic threats of violence or other threatening behavior directed toward another person or group that reasonably leads the person(s) in the group to fear for her/his physical well-being. Anyone who attempts to use bullying or intimidation to retaliate against someone who reports an incident, brings a complaint, or participates in an investigation in an attempt to influence the judicial process will be subject to disciplinary action.

When bullying or acts of intimidation occur in the context of intimate-partner violence or when the behavior is perpetrated on the basis of sex or gender, the conduct will be resolved under the Sexual Misconduct Policy.

G) Stalking: The Colleges prohibit any and all behavior that may be considered to be stalking. Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or safety of others or to suffer substantial emotional distress. Course of conduct means two or more acts, including but not limited to, acts in which an individual directly, indirectly or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about another individual or interferes with another individual's property. Substantial emotional distress means significant mental suffering or anguish. Reasonable person means a reasonable person under similar circumstances and with similarities to the victim. Stalking

includes cyber-stalking, a particular form of stalking in which an individual uses electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

Such behaviors include, but are not limited to: telephone calls; voice/text messages; following to residence hall, class, work, or other daily activities; letters; emails; gift giving; instant messaging; using AIM or social networking communities to collect information about person; creating shadow accounts or monitoring key strokes; taking pictures of person; and befriending person's friends. When stalking occurs in the context of intimate-partner violence or when the behavior is perpetuated on the basis of sex or gender, the conduct will be resolved under the Sexual Misconduct Policy.

- H) **Sexual Misconduct:** As stated in the Sexual Misconduct Policy, Hobart and William Smith Colleges are committed to fostering a non-discriminatory and harassment-free educational, living, and working environment for all members of the HWS community, including students, faculty, staff, volunteers, and visitors, through clear and effective policies, a coordinated education and prevention program and prompt and equitable procedures for resolution of complaints.

The full and comprehensive Sexual Misconduct Policy, inclusive of institutional policies and procedures, is distributed directly to students in writing, and can be found at the Office of Title IX Programs and Compliance, the Campus Life Office, the Residential Education Office, Campus Safety Office, the Deans Offices, and several other locations on-campus. An electronic version can be found on the HWS Student Life website.

- I) **Inappropriate Behavior or Conduct for Affiliation:** Behavior or conduct, including, but not limited to hazing, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. Consent of the student or participant is not a defense against the inappropriate behavior or conduct.
- J) **Weapons:** Possession of firearms and/or weapons (including air guns, bb guns, paintball guns, pistols, ammunition, knives, slingshots, etc.), replica firearms, ammunition, explosives, or other weapons, or unauthorized use of dangerous chemicals or substances on College premises. Weapons are not allowed in Colleges residences, fraternities, or on campus at any time. Possession of such weapons violates the New York State penal codes pertaining to colleges. The expression "firearm" will be broadly interpreted at the discretion of the Vice President for Campus Life or their designee.
- K) **Tampering** with or falsely activating fire safety devices, as described in Residential Policies.
- L) **Theft:** Attempted or actual theft of, or unauthorized possession or use of, property of the Colleges, property of a member of the Colleges' community or other personal or public property.
- M) **Damage to Property/Vandalism:** All members of the community must respect the physical plant of the Colleges. Destructive behavior, whether or not intentional, including destruction, defacement, removal, and unauthorized use of Colleges-owned property is prohibited. Persons who create safety hazards shall pay any fines imposed on the Colleges as a result of that hazard.
- N) **Acts of Dishonesty:** Actual or attempted acts of dishonesty including but not limited to the following:
- 1) Academic misconduct as defined in Academic Policies;
  - 2) Furnishing false information to any Colleges' official, faculty member, course instructor or office;
  - 3) Forgery, alteration, or misuse of any Colleges' document, record, or instrument of identification;
  - 4) Aiding or abetting the conduct in (1), (2), and/or (3);
- O) **Electronic Resources:** Attempted or actual theft or other abuse of computer resources and systems pursuant to the Acceptable Use Policy for Hobart and William Smith College Computer Facilities. This includes illegal downloading of music, movies, etc.
- P) **Unauthorized Possession of Keys/Cards:** Unauthorized possession of, duplication of or use of keys, lock combinations, or identification cards to any Colleges' premises
- Q) **Unauthorized Entry:** Unauthorized entry to or use of Colleges' property.
- R) **Gambling:** Engaging in illegal gambling activities.

- S) **Policy Violations:** Violation of published Colleges' policies, rules, regulations, notices or statements, including, but not limited to, those contained in or pertaining to the Notice of Nondiscrimination, Information Technologies Policies, Housing and Dining Contract, Parking and Traffic Policies and Regulations, and the College Catalogue.
- T) **Academic or Administrative Disruption:** Behavior or conduct resulting in obstruction or prevention of teaching, research, administration, disciplinary proceedings, student organization, other Colleges' activities or events, including its community service functions on or off campus, or other authorized non-Colleges activities, when the act occurs on the Colleges' premises.
- U) **Failure to Comply:** Failure to comply with the reasonable direction of a member of the Colleges' community or emergency or service personnel who are acting in performance of official duties, failure to complete a conduct sanction, and/or failure to identify oneself to these persons when requested to do so.
- V) **Abuse of the Conduct System,** including, but not limited to, the following:
- 1) Failure to comply with the directive to appear before a hearing panel or administrative review officer.
  - 2) Falsification, distortion, or misrepresentation of information before a hearing panel or administrative hearing officer.
  - 3) Disruption or interference with the orderly conduct of a judicial proceeding.
  - 4) Knowingly instituting a complaint that another member of the Colleges' community has violated the Community Standards or other Colleges' policies without cause.
  - 5) Influencing or attempting to influence another person to commit an abuse of the judicial system.
  - 6) Attempting to prevent an individual's proper participation in, or use of the judicial system.
  - 7) Attempting to influence the impartiality of a member of a hearing panel or of an administrative review officer prior to, and/or during the course of, the judicial proceeding.
  - 8) Inappropriate behavior or conduct and/or intimidation of any person involved in a judicial proceeding prior to, during, and/or after that judicial proceeding.
  - 9) Failure to comply with a sanction imposed under the Community Standards.
- W) **Off-Campus Disruption:** Disciplinary proceedings may occur as a result of a student's behavior anywhere off campus. Behavior that reflects negatively on the reputation of the Colleges and its students is, in and of itself, grounds for possible disciplinary action.
- X) **Smoking Policy:** Smoking is prohibited in all Colleges' owned or operated buildings, intercollegiate events (both indoor and outdoor), and, based on New York State's Clean Indoor Air Act, in all indoor spaces, where no person shall smoke or carry a lighted cigar, cigarette (including electronic cigarettes and smoking devices), pipe, or any other form of smoking object. Students smoking indoors which results in a full fire alarm will be charged an automatic \$500 fine.
- Y) **Federal, State, and/or local law/ordinance violation:** Any violation of federal, state and/or local laws/ordinances regardless of whether such violation occurred on or off the College premises.
- Z) **Guest Behavior:** Students shall be responsible for the behavior and conduct of any guests. Any violations of the Community Standards by a guest may result in a complaint against the hosting student.
- AA) **Animals On-Campus:** Since many people are allergic to animals and student residences do not provide adequate space or security for the humane care of animals, no animals other than aquarium fish are allowed in residences. Every animal on the Colleges' property must be leashed at all times. Pets may not be tied to trees, bike racks, signposts, or other physical components of the Colleges. This includes pets who are visiting campus. Unauthorized animals are not permitted inside any residence hall for any length of time. If an unauthorized animal is found in residence, the residents of the room will be fined \$150 per day (in addition to restitution for any damage or cleaning charges) until a notification of relocation is received and confirmed. Notwithstanding the foregoing, the Colleges' Policy for Student Use of Animals on Campus may permit Service Animals and approved Assistance Animals to be present on campus in accordance with that policy. The full policy can be found on the Disability Services website.

# ***Alcohol & Other Drugs Policy***

## **I) INTRODUCTION**

Students and employees of Hobart and William Smith Colleges are subject to Federal Law, New York State law, local statutes and ordinances, and the Colleges' alcohol and drug policy. Students and employees who violate federal, state or local laws or policies of the Colleges will be subject to criminal and/or institutional disciplinary action, up to and including permanent separation and/or termination of employment. Ignorance of the law and the Colleges' policy is not an excuse for any violations.

As an institution dedicated to higher learning, service, and preparing students to lead lives of consequence, HWS condemns the unlawful possession, use/abuse, or distribution of alcohol and other drugs. Because abuse of alcohol and other drugs is detrimental to the physical and psychological well-being of students, the Colleges seek to educate students about the dangers of drug and alcohol abuse and the importance of healthy and responsible choices. Repeated involvement with, or excessive use of, alcohol and/or other drugs will be viewed as a health concern as well as a disciplinary matter. The Colleges may mandate treatment for abuse of alcohol and other drugs, including, but not limited to, medical leaves of absences, suspensions, or permanent separation. Any sanction may be imposed for any violation.

The Campus Safety and Residential Education staffs will report student violations of the Policy on Alcohol and Drugs to members of the Office of Campus Life. As the use of alcohol on-campus is permitted only by those who are of 21 years of age or older, the responsibility for complying with all policies and procedures applying to the possession, use, sale, purchase, and service of alcohol lies solely with each individual community member.

## **II) THE COLLEGES' MEDICAL AMNESTY POLICY**

The health and safety of every HWS student is of the utmost importance. The Colleges recognize that when alcohol or other drugs are used or abused, students may be hesitant to report such incidents or seek medical assistance due to fear of potential consequences for their own conduct or the conduct of others. The Colleges strongly encourage students to immediately seek medical assistance for students or individuals.

In situations where students call for help for themselves, or a student (or group of students) seeks assistance for another student, the student who needs assistance and individuals seeking assistance (for themselves or others) will not be subject to the Colleges disciplinary actions for violations of alcohol and/or drug use policies based on ingestion occurring at or near the time of the incident. The Assistant Vice President and Dean of Engagement and Conduct may decide whether amnesty applies to other violations of the Community Standards on a case by case basis.

The student being transported and granted amnesty is expected to complete an assessment and, if compliant, will not be found responsible for violating the Community Standards or receive social probation or other sanctions. The specific assessment requirements are at the discretion of the Vice President for Campus Life or their designee. However, repeated calls for medical assistance due to intoxication may result in disciplinary actions. Supporting students toward being successful, we may notify parents when medical attention is necessary. This is our part of our collaboration with the student, parents and necessary support services on campus and beyond.

For drug and alcohol violation amnesty in situations involving Sexual or Gender-based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Physical Assault, Stalking, or Retaliation, please see the Colleges Amnesty Policy in the Sexual Misconduct Policy.

## **III) NOTIFICATION AND OUTREACH**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988, this notification is being sent to all Hobart and William Smith Colleges' students and employees. The purpose of this notification is to remind the campus community of: the Colleges' policies regarding Alcohol and Other Drugs (AOD); health risks associated with drug and alcohol abuse; the availability of treatment programs for drug or alcohol problems; and disciplinary sanctions under Colleges' policies, as well

as penalties under federal, state, and local laws, for violations resulting from the illegal possession, use, or distribution of drugs and alcohol.

The Colleges are sharing this information to encourage responsible choices among the members of the Colleges' community, with the intention to encourage and support good judgment in the legal use of alcohol for those who choose to use it. The Colleges understand that alcohol abuse cannot be ended simply through strict rules and enforcement. We must establish reasonable policies, create programs that educate all members of the Colleges' community of the effects of alcohol use and abuse, and provide help for those who need it for themselves or others. We believe that environments that value moderation and responsible choice establish habits of respect for self and others in the use of alcohol and other substances that will likely carry forward throughout students' lives. It is toward this end that the following policies and guidelines have been established.

#### IV) **ALCOHOL POLICY**

##### **Prohibited Activities:**

*The following actions/activities are prohibited:*

- A) **Underage Possession or Consumption:** The possession or consumption of alcohol by any student under the age of 21 is prohibited.
- B) **Allowing Underage Consumption/Possession:** Permitting an underage guest or other individual in their presence (i.e. a guest) to possess or consume alcohol on campus property is prohibited. *Visitors and guests who violate the Colleges' Policy on Alcohol and Drugs or New York State or federal law may be removed and/or banned from Colleges' property and/or subject to criminal action. Students may be held responsible for the behavior of their guests, and for any incidents or disruptions, which result from possession, use, or distribution of alcohol or other drugs by guests.*
- C) **Providing Alcohol to Underage Individuals:** Providing alcoholic beverages to any person who is under 21 years of age is prohibited.
- D) **Activities That Promote Irresponsible or Binge Drinking:** Engaging in activities, whether alcohol is present or not, that promote irresponsible or binge drinking (e.g. drinking games, use of funnels, chugging contests, or any means where alcohol is consumed as part of a competition) is prohibited.
- E) **In The Presence of Drinking Games:** Being in the presence of drinking games with alcoholic beverages is prohibited.
- F) **Coercion:** Coercing individuals to drink alcohol or use other drugs is prohibited.
- G) **Public Intoxication or Drunken Behavior:** Public intoxication and/or drunken behavior, which result in the destruction of property, or conduct that is disorderly, disruptive, and/or disrespectful to any member of the campus community is prohibited.
- H) **Open Containers:** Possession of open containers of alcohol is prohibited on and immediately adjacent to public roads, parking lots, and in the common areas in and around residence halls on the campus is prohibited. Possession or transportation of open alcohol containers in public areas of the Colleges is prohibited.
- I) **Possession of Alcohol at College Functions:** Possession of alcohol is prohibited at all College functions in which students are in attendance, including (but not limited to) dances, concerts, athletic events, and dinners, without proper approval from the Social Host Event Committee. Consistent with NCAA policy, the use of alcohol is prohibited at all athletic events. The possession or consumption of alcohol on any college owned, leased, or contracted van, bus, boats, or other vehicle travelling to or from on or off-campus events is prohibited.
- J) **Display of Alcohol/Drug-Related items:**
  - 1) Students may not display advertisements or items (i.e. signs, posters, photographs, bottles) that promote illegal drug and/or alcohol products in the public spaces of the campus, i.e. hallways, lounges, bathrooms, exterior windows of residence halls, their residence hall room including shared common spaces within suites.
  - 2) Alcohol bottles and containers (full or empty) are not permitted as decorations in the interior or exterior (including windows) of any college-owned or operated residence hall or apartment. Alcohol bottles and containers may be confiscated during routine health and safety inspections or at the discretion of Residential Education.
- K) **Other Alcohol Regulations:**



- 1) **Off-Campus Behavior:** Socially irresponsible or illegal alcohol-related conduct that occurs off campus (e.g., off-campus arrest or citation for underage drinking, an incident in which local or state police are involved in association with alcohol, or alcohol-related conduct, etc.);
- 2) **Alcohol-Free Residence Halls:** Students of legal drinking age may possess and consume alcohol in all colleges-owned or operated residence hall rooms or apartments except for Jackson, Potter, Rees, Sherrill, Durfee, Miller, or Hirshson, as these are primarily first-year only areas, and other residential areas determined to be Substance Free. However, the student(s) of legal drinking age assume full responsibility for preventing any underage students from possessing or consuming alcohol in that room/apartment.
- 3) **Alcohol Moderation:** The Colleges' reserve the ability to limit the amount of alcohol an individual or group may possess as follows:
  - a **Bulk Containers:** Possession of large quantities/bulk containers of alcohol, including, but not limited to, beer balls, kegs, alcoholic punch in excess of one gallon, in any residence hall room, college-owned or operated apartment, or other college property
  - b **Alcohol Amount:** The allowable amount of alcohol allowed in any college-owned or operated residence hall room or apartment by a single student who is of legal drinking age is limited to:
    - Twenty four (24) 12-ounce containers of beer/malted beverage,
    - OR two (2) one-liter bottles of wine,
    - OR a reasonable combination of these types.
- 4) **Paraphernalia:** Possession of alcohol-related paraphernalia (funnels, bars, etc.) is prohibited.
- 5) **Hard Liquor:** Possession of hard liquor is prohibited, regardless of age of the student, in the Colleges' residences. Generally, this excludes beer, malt beverages, wine, champagne, hard cider, and mixes.
- 6) **Identification:** Students or guests of legal drinking age must have valid forms of identification of age (e.g., Driver's License, Sheriff's ID card, etc.) showing their date of birth any time they possess or consume alcohol in any College- owned or operated residence hall room or apartment.
- 7) **False Identification:** Possession of a fictitious ID, fraudulent ID or another person's driver's license is prohibited.
- 8) **Social Hosting Violation:** Failure to abide by the directives outlined in the Social Hosting Guidelines and Procedures section of the Community Standards, which includes guidelines for distribution of alcohol at social events.

## V) OTHER DRUGS POLICIES

The Colleges' prohibit and will hold students accountable for the following behaviors:

- A) **Possession or use of marijuana**
- B) **Use or possession of illegal drugs** other than marijuana
- C) **Possession of marijuana paraphernalia and/or other drug paraphernalia**
- D) **Illegal use of prescription medications,** including without limitation the use of another's prescribed medications or illegal misuse of personally prescribed or over-the-counter medications
- E) **Distributing illegal drugs** to include the sharing of illegal drugs (including, but not limited to, marijuana) or other controlled substances (including legal, prescription drugs), or the possession of items typically perceived by a reasonable person to be utilized for distribution.
- F) **Selling illegal drugs** (including, but not limited to, marijuana) or other controlled substances (legal, prescription drugs).

## VI) FEDERAL, STATE, AND LOCAL SANCTIONS

The existing federal, state, and local laws prohibit the possession, use, manufacture, and distribution of controlled substances. An employee or student who violates the Colleges' Alcohol and Other Drugs policies is subject both to the Colleges' sanctions and to criminal sanctions provided by federal, state, and local law. Degree and penalties vary depending upon the type of substance, amount of substance, prior record of individual and age of individual.

- A) Federal Law

Violation of federal laws regarding illegal substances can result in substantial fines and imprisonment as well as forfeiture of property and denial of federal benefits, including financial aid. For more information, the Federal Trafficking Penalties table is included in the Appendix of the Community Standards and can be found online at [http://www.dea.gov/druginfo/ftp3\\_shtml](http://www.dea.gov/druginfo/ftp3_shtml).

B) State Law

Alcohol offenses and penalties in New York State are defined by the Alcoholic Beverage Control Law and Penal Law. Under New York State law it is illegal:

- For a person under the age of 21 to consume alcohol or to possess alcohol with the intent to consume it.
- To sell, deliver, or give away alcoholic beverages to any person actually or apparently under the age of 21.
- To sell, deliver, or give away any alcoholic beverage to any intoxicated person or any person under the influence of alcohol.
- To sell, deliver, or give away any alcoholic beverage to any habitual drunkard known to be such to the person authorized to dispense any alcoholic beverage.
- To sell alcohol, including charging admission at the door of an event where alcohol is distributed free of charge, without an Alcoholic Beverage Control license.
- For any person under the age of 21 to present or offer identification of age which is false, fraudulent, or not their own, for the purpose of purchasing alcohol or attempting to purchase alcoholic beverages. It is also illegal for another person to misrepresent the age of someone under 21 for the purpose of helping the person under 21 obtain alcohol.
- To operate a motor vehicle with the blood alcohol content between .05 and .07 percent. This is known as "Driving While Ability Impaired," or DWAI. "Driving While Intoxicated" (DWI) is defined by a blood alcohol content of .08 percent or greater, and is also illegal.
- For any person under the age of 21 who operates a motor vehicle while having a blood alcohol content of .02 percent or greater (a very low threshold).

The State of New York Penal Law (Articles 220, 221 and 178) define a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. Sanctions include fines and imprisonment ranging from several months to life.

C) Local Ordinances

*City of Geneva Ordinance §§ 69-4, 69-7.* Under this ordinance, it is illegal for a person to drink or otherwise consume liquor, wine, beer or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park or such other public place. It is also illegal for a person to carry or have in their possession, within the City of Geneva, any open bottle or open container containing liquor, wine, beer or other alcoholic beverage with the intent of the possessor or another to consume such beverages in any public places. A violation of this provision shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or by both said fine and imprisonment.

*City of Geneva Ordinance §§ 69-6, 69-7.* Under this ordinance, it is illegal for any person under 21 years of age to possess any alcoholic beverage in a public place as defined by § 240.00 of the Penal Law of the State of New York, and any alcoholic beverage found to be in the possession of a person under 21 years of age in such public place shall be confiscated. A violation of this provision shall be punishable by a fine not exceeding \$250 or by imprisonment not exceeding 15 days, or by both said fine and imprisonment.

*City of Geneva Ordinances §§ 236-13, 236-14, 236-15.* This ordinance prohibits any responsible person from sponsoring, conducting, hosting, inviting or permitting a "nuisance party." A "nuisance party" includes, but is not limited to, any social gathering held within the City of Geneva that results in unlawful possession of an open container; the unlawful sale, furnishing, dispensing or consumption of an alcoholic beverage; the sale or furnishing of an alcoholic beverage to an

underage person; possession or consumption of an alcoholic beverage by an underage person; or unlawful possession, sale or use of a controlled substance. A violation of this provision shall be punishable by a fine not exceeding \$500, or imprisonment for 15 days, or both with a civil penalty to be recovered by the City of Geneva in a civil action or proceeding to recover cost of law enforcement, fire or other emergency response to a loud or unruly gathering.

D) Civil Liabilities

*Dram Shop Liability.* Any person who is injured by an intoxicated person has a legal right of action against anyone who has unlawfully sold alcohol to the intoxicated person or unlawfully assisted the intoxicated person in obtaining liquor. In any such legal action, the injured person has a right to recover both actual and punitive damages.

*Social Host Liability.* Any person who furnishes alcoholic beverages to an individual under the age of 21 is at risk of civil liability if the intoxication of the person under the age of 21 results in injury or damages to a third party.

## VII) HEALTH RISKS OF ALCOHOL AND OTHER DRUGS

All drugs are chemical substances that affect both psychological and physical functioning. Health risks that may result from the use of illegal drugs include addiction, increased susceptibility to illness due to a less- efficient immune system, increased likelihood of accidents, increased likelihood of sexual assault and violence, impaired cognitive functioning (e.g., impaired memory, distortion of reality), and death. Most drugs are associated with risks specific to that drug, but examples are provided below.

A) Alcohol

Alcohol is an addictive drug that acts to depress central nervous system functioning. Although its effects vary among individuals, alcohol generally decreases alertness, impairs judgment, and reduces physical coordination and muscle control. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive or violent acts. Higher doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. People who consume larger quantities of alcohol can also experience blackouts and severely impaired mental functioning, including memory loss, depression, unconsciousness, respiratory arrest, coma, and death. If combined with other depressants of the central nervous system, much lower doses of alcohol can produce some of the effects just described.

B) Marijuana

- Disruption of space and distance judgment
- Slower physical reflexes and poor coordination; dilated pupils
- Forgetfulness & diminishing mental powers
- Drowsiness & mood swings

C) Cocaine/Crack

- Shortened attention span
- Impairment of judgment & decision-making ability
- Lack of dependability
- Mood swings, euphoria, irritability, depression
- Stealing to cover cost of drug
- Runny nose & excessive sweating

D) Opiates (Heroin, pain pills, Codeine, Darvon, Vicodin, Percodan)

- Impaired judgment & lowered efficiency
- Drowsiness & mood swings
- Disinterest in classroom and campus safety
- Crime (stealing to cover cost of drug)
- Constricted pupils, impaired reflexes

- E) Hallucinogens (PCP, LSD, MDMA (Ecstasy), Designer Drugs)
  - Loss of memory & concentration
  - Sudden bizarre changes in behavior
  - Moodiness & interpersonal conflict
  - Pupil changes, may be dilated/constricted
  - Visual and auditory hallucinations
  
- F) Amphetamines (Benzedrine, Dexedrine cross tops, whites, uppers; Methamphetamines – crank, crystal)
  - Dilated pupils
  - Impaired reflexes
  - Hyperactivity, irritability, anxiety, depression
  - Increased accidents
  - Impaired judgment & decision making
  - Decreased appetite, weight loss, tremors
  
- G) Sedatives (Barbiturates; tranquilizers – Valium, Xanax; Seconal, Tuinal – reds, downers)
  - Slowed reflexes & lower productivity
  - Slowed mental processes & depression
  - Memory loss
  - Slurred speech

Additional information about the effects of individual drugs may be obtained from Hubbs Health Center and the Center for Counseling and Student Wellness.

### VIII) EDUCATIONAL AND COUNSELING PROGRAMS FOR ALCOHOL & OTHER DRUGS

The Colleges provide educational programs and counseling services to address the issues of alcohol and other drug use. The Colleges' goals are to increase awareness, and to assist those in need of help, as in those potential instances of addiction, chemical dependency, and other negative consequences resulting from use or abuse of alcohol and other drugs.

Educational outreach is offered throughout the school year by the Director of Alcohol and Other Drugs Prevention, Residential Education, The Center for Counseling and Student Wellness, and various offices and organizations including athletics, Student Activities, and Greek organization houses. Courses in a variety of disciplines (e.g., biology, chemistry, philosophy) also provide academic discussion of alcohol or other drug use.

The following resources are available to students and/or employees:

<b>Hobart and William Smith Employee Assistance Program (EAP)</b>	The HWS EAP is administered by the Office of Human Resources. All employees, faculty members and their dependents are eligible to participate in the drug and alcohol abuse programming offered through the EAP. Additional information about the EAP program can be obtained by calling (315) 781-3312 or by visiting <a href="http://www.hws.edu/offices/hr/index.aspx">http://www.hws.edu/offices/hr/index.aspx</a> .
<b>Hubbs Health Center</b>	The Hubbs Health Center serves HWS students and provides health education on issues including substance abuse. For more information, please call (315) 781-3600 or visit <a href="http://www.hws.edu/studentlife/health_center.aspx">http://www.hws.edu/studentlife/health_center.aspx</a> .
<b>Center for Counseling and Student Wellness</b>	The Center for Counseling and Student Wellness provides free, confidential services for HWS students, including individual and group counseling; emergency psychological services; and outreach and educational programming. The CCSW also offers psychological consultation to students, faculty and staff. For more information, please call (315) 781-3388 or visit <a href="http://www.hws.edu/studentlife/counseling.aspx">http://www.hws.edu/studentlife/counseling.aspx</a>

<p><b>The Office of Alcohol and Other Drug Prevention</b></p>	<p>The Office of AOD Prevention manages the alcohol and other drug education and prevention programs and services. The Office of AOD is guided by a proactive, social norming and harm reduction approach, providing education, prevention and counseling services necessary so that HWS community members can make responsible choices about alcohol and other drugs. The Office of AOD Prevention provides referrals for students who are at risk of developing alcohol and other drug-related concerns as well as for those who are impacted by another person's abuse. Referrals can include one-to-one and group counseling at the Center for Counseling and Student Wellness, local OASAS-approved alcohol and drug treatment centers, and local AA and NA chapters. Students seeking assistance for themselves or a friend are protected under federal confidentiality guidelines. For more information please call the Office of Campus Life at 315-781-3900 or visit <a href="http://www.hws.edu/studentlife/health_promotions.aspx">http://www.hws.edu/studentlife/health_promotions.aspx</a>.</p>
<p><b>Off-Campus Resources</b></p>	<p>Council on Alcoholism and Other Drug Dependencies of the Finger Lakes, (315) 789-0310</p> <p>Finger Lakes Addictions Counseling and Referral Agency, (315) 781-0771</p> <p>A more complete list of Alcohol and Other Drugs Evaluations &amp; Treatment Facilities is available through the Colleges' Center for Counseling and Student Wellness website, at <a href="http://www.hws.edu/studentlife/pdf/aod_list.pdf">http://www.hws.edu/studentlife/pdf/aod_list.pdf</a>.</p>

## IX) DRUG-FREE WORKPLACE POLICY

Hobart and William Smith Colleges are committed to maintaining a drug-free workplace. The health hazards of drug use and the negative effects on job performance are well known. In accordance with the Drug-Free Workplace Act of 1988, the Colleges prohibit the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all Colleges-owned or -controlled property or while conducting business of the Colleges off campus.

- A) Sanctions for Violation or Non-Compliance  
Corrective action in accord with the applicable provisions of the Faculty Handbook, or the Colleges' personnel policies, the collective bargaining agreement, or this handbook may be imposed within 30 calendar days of notice, on any faculty, administrator, staff member, or student employee who is found to be in violation of any provision of this policy. In addition, or as an alternative, an employee or student employee found to be in violation of this policy may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.
- B) Compliance as a Condition of Employment  
Compliance with the provisions of this policy shall be a condition of employment at the Colleges.
- C) Employee Obligation for Notification of Conviction  
In compliance with federal law, any faculty member, administrator, staff member, or student employee convicted of violating any criminal drug statute for activity that occurred on Colleges-owned or -controlled property is required to notify the Colleges within five calendar days after the conviction. A faculty, administrative, or staff member shall notify the Office of Human Resources. A student employee shall notify the Vice President for Campus Life or designee.
- D) Employer Obligation for Notification  
The Colleges are obligated to notify the appropriate federal contracting or granting agency, if applicable, within 10 calendar days after receiving notice of an employee conviction under paragraph three above. An academic officer, supervisor, or Vice President for Campus Life or

designee who receives notification of a conviction under paragraph three above shall immediately inform the Office of Human Resources in writing so that in those cases where a convicted employee is engaged in the performance of a federal grant or contract, the appropriate federal agency can be notified.

E) Maintenance of a Drug-Free Workplace

The Colleges' good-faith efforts to maintain a drug-free workplace will include provision of ongoing drug awareness educational programs, dissemination of this policy to all faculty, administration, staff, and student employees, and strict enforcement of its policy. The Office of Human Resources will work with the Colleges' Employee Assistance Program to offer drug education and awareness programs for employees. The Colleges' Health Center, The Center for Counseling and Student Wellness and the Director of Alcohol and Other Drugs will continue to offer such programs for students. Other campus organizations may also provide such programs for the Colleges community. Faculty and administrative staff members, and student employees are expected to avail themselves of these programs.

# *Residential Policies*

## **I) INTRODUCTION**

HWS residential neighborhoods are maintained for the well-being of all students who live there. Each student is expected to live their life in a way that respects all community residents. Each student is directly responsible for maintaining a safe, secure, and healthy living environment in their residence. Each student is expected to sign and abide by a housing contract.

## **II) RESIDENCY REQUIREMENT**

The Colleges believe that students have much to gain from the experiences inherent in on-campus living. For this reason, all students are required to live on campus and take their meals in campus dining halls on one of the Colleges' approved meal plans. In certain cases, dependent on special circumstances and/or occupancy, students may live at home with their families, off campus, or may be excused from the Colleges' meal plan. To be exempt from these requirements, students must secure permission from the director of residential education through the established and published procedure.

## **III) LIVING OFF-CAMPUS**

At times, when the Colleges determine the residence halls may be grossly over-occupied if every undergraduate student resided on-campus, the Colleges may allow a select number of students to reside off-campus. The Colleges will determine the students granted an exception via an application process.

If provided permission to reside off-campus, students are responsible for the acquiring their own housing, and are also responsible for the safety, security, and condition of their accommodations.

### **A) Off-Campus Process & Permission**

A limited number of students may be permitted to live off campus each year, effectively being exempt from the Colleges' residency requirement. In addition to married students, students 23 years of age or older, and students with legal dependents, some seniors may be given an exemption to the Colleges' residency requirement after all available spaces in Colleges-owned residences are filled. Permission is granted on the basis of a selection process conducted by the residential education office each academic year. Confirmation of status is given by a letter from the residential education office following the selection process. Students without official permission will be required to pay for campus room and board and will be expected to live in their on-campus room. Students should never sign a lease for an off-campus apartment until they receive written confirmation of off campus status; having a previously signed lease does not warrant an exception to the Colleges' residency requirement. If a student is granted off-campus status as a rising senior and is later reclassified as a junior the student will be expected to move back on campus.

### **B) Residency Exception Requests**

For students who wish to request an exception to the Colleges' residency requirement due to an extenuating circumstance, must adhere to the guidelines of one of the processes below:

#### **1) Medical Requests**

Students who believe they have a medical necessity that cannot be accommodated within the flexible living environments at the Colleges and who are seeking to reside off-campus should apply through the standard off-campus selection process. If they are not eligible to apply for the off-campus process, the student must apply for a medical housing accommodation through the Center for Teaching and Learning and specifically furnish a letter that details a specific medical disability that cannot be accommodated through on-campus living. This letter must be furnished from their doctor to the Center for Teaching and Learning. The guidelines for requesting an accommodation is posted on the Disability Services website. General or vague medical letters, requests from non-medical persons, and requests from family members (regardless of their medical professional status) are not acceptable. The letter must document that a situation exists that cannot be met within the normal flexibility of the housing inventory. The Center for Teaching & Learning will review

medical information and, when appropriate, discuss the student's need with the director of dining services, the Hubbs Health Center staff, and the director of residential education, as well as other campus partners as deemed appropriate, to determine whether on-campus arrangements can be provided. If a medical accommodation is determined to be necessary, the Center for Teaching and Learning will send an accommodation letter to the director of residential education and/or their designee. **The decision of the medical accommodation process is final and there is no appeal.**

2) Non-Medical Requests

As the Colleges' are residential, all students are required to reside on-campus unless express permission is provided. This generally occurs through the off-campus housing selection process or via a medical approval. Should a student believe they have a non-medical extenuating circumstance, they must submit a request outlining their extenuating circumstance (inclusive of any supporting documentation) to the director of residential education. Non-medical requests for exceptions to the Colleges' residency requirement are reviewed by a committee once per semester; the committee may also convene if a new student enrolls at the Colleges. The director of residential education convenes the committee and may contact campus partners to determine the validity and necessity of the request. All non-medical requests for an exception to the residency requirement are due by February 15<sup>th</sup> for the following Fall semester and November 15<sup>th</sup> for the following Spring semester. Requests from students not yet enrolled to the institution, and students returning from a personal or medical leave of absence, are due by one calendar month before the first day of classes for the upcoming semester. **The decision of the committee is final and there is no appeal.**

C) Meal Plan Requirement

As residential colleges, Hobart and William Smith feel that it is essential to our community's wellbeing to keep students living off campus engaged in campus life and contributing to the daily rhythms of the campus. Since meals are a time for the community to come together, students who live off campus are required to purchase one of the meal plans.

D) Off-Campus Permission Status

While living off campus fosters independence and personal growth, and provides a sometimes welcome alternative to traditional residence hall living, it also requires a great deal of responsibility and sensitivity to immediate neighbors and the larger community. As the Colleges' jurisdiction for our Community Standards extends on and off-campus, if a student or group of students abuse this privilege and is found to be in violation of the Community Standards and/or federal, state, or local laws or ordinances, their off-campus status may be revoked.

#### IV) ROOM CHECKS

While respecting the privacy of individuals in their rooms, the Colleges reserve the right to enter Colleges-owned residences and student rooms for appropriate reasons, including but not limited to repairs, furniture inventory and room condition checks, to ensure compliance with campus safety and fire and safety codes, to investigate student misconduct allegations, and/or in any emergency. The Colleges reserve the right to remove any item not in compliance with Colleges' policies, New York State statutes, or federal law. This includes a review of student-owned belongings if it is determined that a violation of the Community Standards may be present. Regular residence halls checks will be conducted at the close of each semester and at any time at the discretion of the director of residential education. There also may be some periodic unscheduled room checks.

#### V) SOCIAL SPACES

Residents, clubs and organizations, and other campus groups are encouraged to use the following spaces and lounges for social programs, meetings, and gatherings. The spaces available for reservations include: the Barn, Bartlett Theater, Emerson Lounge, Hirshon Ballroom, Caird Lounge, deCordova Lounge, Bartlett Lounge, Geneva Lounge, Sherrill Lounge, and Rees Lounge; other residence hall lounges may also be used with approval from Residential Education and/or the Office of Student



Activities. Students interested in utilizing these spaces must complete an Event Form on Engage through the Office of Student Activities two weeks prior to the date of their planned event.

## VI) GENERAL REGULATIONS

- A) **Tampering with cable television wires is illegal.** Violators are subject to Colleges' disciplinary action and may be prosecuted by the cable company for theft of services.
- B) **Cleaning:** Students are responsible for cleaning their own rooms to meet both health and safety and their roommate's standards. The Colleges' housekeeping staff is responsible for the regular cleaning of common rooms, bathrooms, and hallways in most residences. The exceptions are The Village at Odell's, where residents are responsible for all cleaning; and cooperatives, where residents are responsible for the kitchen and dining areas.
- C) **Colleges Property:** Removal of Colleges' property from residence halls, lounge areas, conference rooms, or other community areas is prohibited. Failure to observe this regulation will result in disciplinary action.
- D) **Common Area Usage:** Residents, their guests, and members of the Colleges community are encouraged to use the lounges in residence halls for social and educational gatherings. All parties, meetings, and gatherings in residential lounges should be cleared with the residence coordinator of the facility, an assistant director or the director of residential education at 315-781-3880.
- E) **Damages:** Students are responsible for reporting damage whenever observed and as soon as possible after it has occurred.
- 1) In particular, it is the responsibility of each individual to report to the residential education staff any damage for which they are personally responsible within 24 hours of occurrence. Damage fees will be determined by the maintenance department and efforts will be made to repair damages as quickly as possible.
  - 2) The Colleges charge all students who are responsible for avoidable damages and losses that occur in student residence halls. "Avoidable damage" is defined as damage that is the consequence of careless, willful, or malicious actions, including horseplay and residence hall "athletics." Such damage contributes significantly to the general deterioration of living conditions, which impacts all students' attitudes about community and personal security.
- F) **Furniture:** Each student living in a HWS residence hall room is provided with a desk, chair, dresser, and bed. Students living off campus are responsible for providing their own furniture. Because campus storage space is limited, students are not permitted to remove furnishings from their rooms. Students are also not permitted to store their furniture in other students' rooms. Students will be billed for any furniture damaged or missing from their rooms at the end of each semester.
- G) **Gambling:** Gambling in any form is prohibited.
- H) **Guests:** All occupants of a living area are responsible for the actions of guests in their residence; Hobart and William Smith students, however, are always responsible for their actions anywhere on campus. Each student should be aware of activities in their residence and enforce residential education.
- 1) Any nonresident of a building is considered a "guest" and must be sponsored by a host who is a resident of the hall or house, and must carry some form of identification. No overnight guest(s) will be permitted in any room before: (1) each room occupant gives their consent, (2) any conditions on the guest's stay are understood by all concerned, and (3) these arrangements/agreements are confirmed and approved by all parties.
  - 2) It is the responsibility of the host to explain residence hall rules to the guest. Students and their guests are expected to be considerate of their and the Colleges' property and neighbors at all times. Although guests are responsible for their own behavior, students are also accountable for the conduct of their guests, with the exception of Hobart and William Smith students, who are responsible for their own actions anywhere on campus. Where the rights of a resident and guest conflict, the rights of the resident supersede those of the visitor.
  - 3) Residence hall rooms can accommodate comfortably only those students assigned to them, and occupancy is strictly limited to the students assigned to that room. Therefore, the duration of a guest's stay may not exceed three days during a two-week period. If there are extenuating circumstances, exceptions may be requested through an area coordinator/assistant director.

- I) **Noise/Quiet Hours:** any noise that disrupts the operation of the Colleges is prohibited. It is the responsibility of each resident, along with Colleges' staff members, to monitor the level of noise within the residence.
- 1) **Quiet Hours:** Residence hall quiet hours are between 10 p.m. and 7 a.m., Sunday through Thursday, and midnight to 9 a.m., Friday and Saturday. Students bothered by excessive noise who have talked to the person(s) responsible without a satisfactory response should ask a member of the residence staff to intervene. If no member of the residence staff is available, it is appropriate to contact Campus Safety (315-781-3656). After responding directly to the call, Campus Safety will send a report of the complaint to Residential Education, where further action may be taken.
  - 2) **Courtesy Hours:** The Colleges have agreed on a 24-hour courtesy policy. If at any time a student is asked to decrease their noise level it is expected that the student will comply with the request.
- J) **Personal Items:** Due to limited space, storage is not available on campus. Private storage companies in the area make easily accessible storage available to students. Any items left in rooms without permission will be removed and disposed of at the student's expense after a student vacates a room.
- K) **Pet Policy:** Except as permitted by the Policy for Student Use of Animals on Campus, students are not allowed to have animals living or visiting in any of the College's residences. If an animal is found, the owner(s) will be fined \$150 a day until a notification of the new location of animal has been received and is confirmed. The owner may also be faced with additional judicial sanctions. The Colleges' assistance accommodation process may provide an exception for Service and Assistance Animals. The full policy can be found on the Disability Services website.
- L) **Restricted Areas:** Access to the roofs except in buildings with designated sundecks, fire escapes other than in emergency situations, attics, mechanical equipment rooms, and all other areas with posted restricted area/access sign of all Colleges' buildings and residences is restricted to authorized personnel. Violators are subject to Colleges' disciplinary action.
- M) **Solicitation and Vending:** Solicitation or vending of any kind by students, company representatives, or mail-order displays is governed by the Colleges' Campus Services Committee. Solicitors/vendors in the residence halls must present written approval upon demand. If they are unable to provide documentation, they should be asked to leave and reported to Campus Safety immediately. Hobart and William Smith Colleges prohibits the advertising, marketing or merchandising or credit cards on the College campus to students. (For more on vending, see "Vending Policy" under "Administrative Policies.")
- N) **Unauthorized Room Occupancy:** Residing in a residential space before or after expected occupancy dates, as published within the academic calendar, without approval from the Residential Education Office.
- O) **Unauthorized Room Change:** Residing in a residential space for which you have not been given express permission to do so: for example, changing bedrooms without approval.
- P) **Motorcycles and Motorbikes:** Motorcycles and motorbikes are not permitted in the residence halls.
- Q) **Door and Window Propping:** In order to ensure the safety and security of all residents, propping of any locked exterior doors or windows is prohibited and may result in disciplinary action. Screens must stay in windows at all times.

## VII) FIRE SAFETY POLICIES

Fire safety is a concern in which a student's actions or inactions can have great impact on other students and the Geneva community. Students who violate fire-safety code and cause the institution to be fined shall be assessed the amount of the fine and other sanctions. The following items are strictly prohibited to secure the Colleges' property and the community's safety. Any illegal appliance that comes to the attention of a Colleges official will be confiscated and the student will be referred to the appropriate hearing body or Vice President for Campus Life or designee.

- E) **Prohibited Items:** These items are prohibited (this list is a reference and not exhaustive):
- 1) Candles/open flame devices (a charge of \$50 will be assessed for each candle found.)
  - 2) Incense

- 3) Tapestries or other wall coverings, including flags
- 4) Halogen or torchier lamps
- 5) Extension cords (only power strips with surge protectors are allowed)
- 6) Holiday lights
- 7) Toaster ovens/hot plates/burners/Foreman grills
- 8) Coffee pots (units with an auto shut-off feature and Keurig-style coffee makers are allowed)
- 9) Microwave ovens (except for Colleges-approved micro-fridges)
- 10) Large refrigerators (above 3 cubic feet)
- 11) Fireworks/pyrotechnics
- 12) Building lofts and other wood structures

To minimize the risk of fire, the following fire safety rules have been adopted; violation of the rules will lead to disciplinary action. Questions regarding prohibited items should be directed to the Office of Residential Education or Campus Safety:

- F) **Open Flames and Burning:** The use of open-flame devices or other burning materials, such as candles and incense, and the melting of wax to fabricate candles, is prohibited. Such materials will be confiscated. Students found responsible for setting fires may expect to be separated permanently from the Colleges. A charge of \$50 will be assessed for each candle found.
- G) **Tampering with Fire Extinguishers and Other Fire-Safety Devices:** Fire extinguishers should be utilized only for their intended purpose and should not be removed from their assigned location. An extinguisher should be used only after the alarm has been pulled and the fire department has been notified. Then, those who are capable may attempt to control a small fire. Unwarranted use of a fire extinguisher or any other tampering with fire alarms or devices is considered a serious offense that could lead to suspension from the Colleges. **A minimum charge of \$250 will be assessed to any student or floor residents who discharge, damage, or tamper with any fire-safety equipment other than to control a fire.**
- H) **Fire drills:** Failure to exit during a fire drill. **Students who fail to exit a building when the fire alarm sounds will be fined \$50.**
- I) **Fire Doors:** Fire and smoke doors must be kept closed at all times. They are there to save lives and minimize damage to buildings and personal property.
- J) **Cooking and Kitchens:** Use of all cooking appliances in student rooms is strictly prohibited. A list of prohibited items is listed earlier in this policy. A small kitchen area is provided in most residence halls.
- K) **Electrical Usage:** Caution should be exercised in the use of electrical appliances and power strips to prevent overloading of electrical circuits. Aerials for radios and other items of this nature are not permitted outside of rooms or on the building. Electrical wires leading from residence rooms to receptacles outside the rooms are prohibited.
- L) **Fireworks:** All forms of pyrotechnics (firecrackers, cherry bombs, etc.) are prohibited by New York State law. A student found in possession of fireworks will be subject to severe disciplinary action, and the use of fireworks will be regarded as starting a fire.
- M) **Lofts and Other Structures:** Building lofts and wood structures are prohibited. Shelves and other room structures may not be attached to room furnishings, walls, ceilings, or floors.
- N) **Space Heaters/Air Conditioners:** Due to fire safety concerns and possible overloading of electrical circuits, space heaters and air conditioners are not permitted, unless approved by the assistant director of housing operations for residential education under the advisement of the Office of Disability Services.
- O) **Lighting and Fire Safety Policy:** The use of halogen lamps, particularly halogen floor or torchier lamps, is prohibited because their bulbs reach high temperatures quickly and their small bases with long segmented poles are often unsteady, increasing their potential for tipping over. Lamps with defective switches, frayed cords, unsteady bases, or broken poles should be discarded or immediately removed from service until properly repaired.
- P) **Tapestry:** Clothing or other combustible materials should never be hung from any light source or on any wall.

- Q) **Extension Cords:** The use of multiple extension cords, "octopus plugs," or strip plugs is prohibited, as they overload circuits in the room. Placement of cords under carpeting or in locations where they will be walked on and damaged is also forbidden.

#### IV) PUBLIC ORDER

A) General Policies

(Filed, as required by law, with the State of New York.)

All persons on the campus, as all other persons, are subject to the constitutions and laws of the United States and the State of New York and to the ordinances of the City of Geneva.

- 1) The following city ordinances are of particular interest to students:
- 2) The owner of any dog shall not allow, suffer, or permit his or her dog to run at large within the city at any time except when such dog is restrained by a leash or unless accompanied by its owner or other responsible person in full control of such dog.
- 3) No person shall throw, cast, drop, put, or place or (having accidentally dropped) fail to pick up any bag, bottle, bottle cap, box, container, garbage, paper, piece of paper, wrapper, or any other trash or litter in or upon any public park, place, playground, cemetery, fountain, street, or building, except in receptacles provided for such purposes.
- 4) No person shall drink or otherwise consume liquor, wine, beer, or other alcoholic beverages or have in his or her possession, or carry or transport, any open bottle or open container containing liquor, wine, beer, or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park, or other such public place.
- 5) No person shall place, deposit, store, or allow to remain upon any private land or property within the city any abandoned motor vehicle for a period of more than two weeks, except in a garage or similar enclosure.
- 6) Firearms and/or weapons (including air guns, pistols, knives, martial arts weapons, ammunition and other dangerous devices) are not allowed in college residences or on the campus at any time.
- 7) Conduct by any person or persons (faculty, students, visitors, or others) that infringes on the civil, personal, or property rights of others will not be tolerated. This includes all actions that, by use of force, obstruct the educational program and other college activities, including the occupation of college buildings or areas of the campus, and destruction of college property or the property of others.

B) Penalties

Violators of these regulations will be subject, if students, to appropriate disciplinary action; if faculty or other college employees, to possible suspension or termination of employment. Visitors who violate these rules will be subject to ejection from the campus and liable to such penalties as may be imposed in accordance with federal and state law and local ordinances.

C) Removal of Violators from Campus

If a person, who engages in disorderly conduct, as specified above, persists in this conduct despite notice to cease and desist, and the safety of students, faculty, staff, or college property is in question, the person or persons shall be removed from the campus, if necessary by use of police or other civil authorities. Any decision to seek an injunction of a civil court or to call in civil authorities will be made by the president or his designee. The above rules and regulations were adopted and promulgated by the Board of Trustees on February 19, 1971. These rules are not a limitation but are an amplification of existing laws concerning the operation of the Colleges.

# ***Social Hosting Guidelines & Policies***

## **I) POLICIES**

### **A) Local Ordinances**

- 1) The City of Geneva has adopted the following "Open Container" and "Social Host" ordinances:
  - a No person shall drink or otherwise consume liquor, wine, beer, or other alcoholic beverages nor have in her or his possession or carry or transport any open bottle or open container containing liquor, wine, beer, or other alcoholic beverages when such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park, or such public place.
  - b It shall be unlawful for any person age sixteen (16) or over who owns, rents, or otherwise controls a private residence, to knowingly host, permit or allow a gathering at which he allows the consumption of alcoholic beverages or illegal drugs by any minor on such premises to take reasonable corrective action upon learning of the possession or consumption of alcoholic beverages or illegal drugs by any minor on such premises.

### **B) General Rules Governing Alcohol At Events**

- 1) The Colleges neither intend nor expect to prohibit the use of alcohol on campus, except by anyone under the age of 21, the legal drinking age in New York State. Rather, we expect students using alcohol to do so legally, appropriately, and responsibly. Penalties for not doing so can range from institutional sanctions to criminal prosecution. Where interpretation is required, the spirit and intention of legal, appropriate, and responsible use will prevail. Reducing the risk of harm and promoting the overall health and safety of students is our primary objective.
- 2) Underage drinking is strictly prohibited.
- 3) Students must use a valid and legal form of identification to purchase or obtain alcohol.
- 4) Any alteration of identification is considered a violation of the alcohol policy and is likely a legal violation as well.
- 5) Common sources of alcohol (kegs, party balls, punch buckets and unmonitored sources) are not permitted except when administered by an approved third-party vendor.
- 6) Students are responsible for any alcohol in their residences and/or rooms.
- 7) Alcohol is not permitted in traditional residence hall lounges under any circumstances.
- 8) Alcohol is not permitted outside unless approved by the Social Event Request Committee and meets the guidelines set forth.
- 9) Members of the Colleges community should avoid excessive alcohol consumption. Drinking that is associated with behavior that is or could be harmful to the person drinking, infringes on the rights of others in the community, or results in significant damage to property is not acceptable at the Colleges and is a violation of Colleges' policy.
- 10) Members of the Colleges community may not attend classes or other official Colleges' functions while intoxicated.
- 11) Student activity funds may not be used for the purchase of alcoholic beverages.
- 12) A valid and legal photo ID must always be requested and presented to identify those students who are 21 or older.
- 13) Alcohol may not be mentioned in advertising and publicizing any event.
- 14) When reviewing student submitted events, the Colleges are identifying potential risks of the planning document and noting procedures that are required for the event. The event itself, as well as any behavior or incident which occurs at the event, is the responsibility of the hosting organization and monitors. The event is not managed by the Colleges or promoted as a Colleges' sponsored event.

- 15) A third-party vendor may be used for events that serve alcohol this includes the following situations: (1) Whenever alcoholic beverages are sold; (2) Whenever an admission fee is charged at any event where alcohol is served -- regardless of whether the fee is directly applied to the purchase of alcohol; (3) Whenever a common source of alcohol is present. Referral to an approved vendor can be obtained from the Social Event Request Committee.
  - a The vendor shall be required to maintain and evidence, through the issuance of a Certificate of Insurance, liquor liability coverage in an amount not less than \$1 million, with the host and Hobart and William Smith Colleges named and evidenced as additionally insured parties on such policy.
  - b The vendor must agree to and abide by all laws, regulations, and policies set forth in this handbook and established by the State of New York.
  - c Approval of third party vendors is at the discretion of the Vice President for Campus Life or designee.
  - d The third party vendor must sign the Social Event Request Form indicating that it accepts responsibility for the alcohol consumed at the event.
  - e The third party vendor is responsible for providing an adequate number of professional staff monitors as determined by Campus Safety based on the expected size, specific location of the event, and standard health and safety procedures regarding crowd control.
- 16) Non-alcoholic beverages must be served at any event where alcohol is served. All non-alcoholic beverages must be purchased in proportion to the number of persons attending who are not of legal purchase age; for an open party that is roughly 75 percent of the student population. A variety of non-alcoholic beverages is recommended (e.g., soda, sparkling water, etc.) Non-alcoholic beverages should be displayed and served in a visible, attractive location.
- 17) Food must be available whenever alcohol is served. Highly salted foods, such as potato chips or pretzels, tend to encourage drinking and, therefore, should not be the only food served. High-bulk foods, which slow the rate of absorption of alcohol, should be encouraged. In all instances, the amount of food, alcohol, and non-alcoholic beverages available should be appropriate to the number of persons attending and should be distributed throughout the event.
- 18) The quantity of alcohol present during social activities must be carefully limited to a "reasonable amount" for the number of persons of legal age expected to be present. A "reasonable amount" of alcohol is determined by the Office of Student Activities in collaboration with the planners of an event.
- 19) In hosting an event with alcohol, the following rules apply:
  - a Social hosts must use a "bracelet system."
  - b The social host(s) is responsible for providing an adequate number of TIPS trained monitors as determined by Social Event Request Committee based on the expected size, specific location of the event, and standard health and safety procedures regarding crowd control.
  - c The dispensing/consumption area: Access into and out of the alcohol dispensing/consumption area must be controlled by monitors at all entrances. Proofing must take place at the door. Only persons 21 years and older who have the designated bracelet are allowed to be in possession of alcohol. No alcohol may be taken from the dispensing/consumption area at any time.
  - d All parties have a maximum of four hours in length and will end at 1 a.m., regardless of the location of the party, unless a later hour is approved by the Social Event Request Committee.
  - e Lawn Parties: All outdoor parties at which alcohol is served must be fenced in.

- 20) The Colleges recognize students 21 and older might want to gather together in a spontaneous way to socialize and interact, and alcohol might be present (except in halls deemed substance free). As long as the spontaneous event meets the aforementioned rules governing alcohol events, students can assemble for a gathering or event in a room with alcohol without completing the Social Event Request Form. These small gatherings will be allowed to occur in residence hall rooms/suites, small houses, fraternities, and Odell's apartments, as long as the small gathering does not exceed the occupancy guidelines set forth below.
- a In standard residence hall rooms located in Blackwell, Bartlett, Comstock, Durfee, Emerson, Geneva, Jackson, Hale, Hirshson, McCormick, Medbery, Miller, de Cordova, Potter, Rees, Sherrill and Caird, the occupancy cannot exceed seven.
  - b In suite style rooms located in Bartlett, Durfee, Emerson, Hale, Jackson, Medbery, deCordova, Odell's, Potter, Rees and Caird, the occupancy cannot exceed 10 or double the occupancy plus one, whichever is greater.
  - c For all houses, including fraternities, the occupancy cannot exceed double the current occupancy plus one for a spontaneous event.
  - d Students who are under 21 and choose to be in a room where alcohol is present run the risk of being documented since it is difficult to determine who has been drinking alcohol and who has not. Students who are under 21; possession of alcohol is strictly prohibited and is a violation of Colleges' policy.
- 21) Medium and large sized events where alcohol is served by TIPS trained social hosts are defined as events that are larger than a small, spontaneous event, with students who are 21 and older are gathering in an approved location and are served alcohol by TIPS trained monitors.
- a A medium sized event is defined as in excess of double the occupancy plus one, up to a maximum of 75 people.
  - b A large sized event is defined as a party in excess of 75 people.
  - c Students must submit a request form to the Social Event Request Committee. This committee is comprised of representatives from Campus Safety, Residential Education, and Student Activities. Requests are reviewed once a week and are available at the Student Activities Office, located on the second floor of Scandling Center.
- 22) The Social Event Request Form (SERF) is completed and submitted to the Social Event Request Committee at least five business days prior to the date of the event. The SERF must include the following information:
- Name of the event
  - Description of the event
  - Sponsoring organization
  - Location of event
  - Event date and time
  - Maximum attendance
  - Quantity and type of food and non-alcoholic beverages to be purchased
  - Responsible person (event coordinator) and contact information
  - Names of TIPS trained alcohol-free monitors who will be present at the party which meets the number of required monitors (see below)
  - If you plan to hire a third party vendor to provide alcohol, the following information should also be included:
    - Name and contact information of the third party vendor (required for any event with alcohol)
    - Name of third party vendor insurance carrier and liability limits (required for large event only)
    - Third party vendor contract for the event

- Funding source to pay for the vendor
  - Name of hired security to check IDs and monitor access to event
- 23) If an event is approved through the Social Event Request Committee, residents of a house/venue will be notified about the event approval before the event takes place.
  - 24) TIPS training will be offered to all students on campus. Successful completion of the training will make them eligible to be monitors at events with alcohol present. Organizations sponsoring an approved event with alcohol will be required to contact and secure TIPS monitors from the list of on campus trained TIPS monitors (provided on the Student Activities website). At least 50% of the TIPS monitors for a single event must be members of the sponsoring organization.
    - a < 75 students = 7 TIPS monitors
    - b 76 < 100 students = 10 TIPS monitors
    - c 101 < 150 students = 15 TIPS monitors
  - 25) Trained TIPS monitors volunteering at a registered event will be required to attend a meeting or complete an online module to refresh their skills the week prior to their event.
  - 26) For medium and large sized events, there must be a ratio of one TIPS trained and alcohol-free monitor for every 10 people who are attending the event. These alcohol-free monitors are responsible for the oversight of the event with regard to alcohol policy, risk management, and safety concerns. Locations for the TIPS monitors will be reviewed with the Social Event Request Committee (i.e. front door for ID check and bracelets, bar area, door monitors, etc).
  - 27) All approved events through the Social Event Request Committee will be communicated to appropriate campus officials with event details.
  - 28) At any time during the event, Colleges officials may visit a party that has been approved through this process.
  - 29) If there are discrepancies between the application materials and conditions found at the event, the hosting group, the monitors volunteering at the event, the individual responsible for the event, and the executive board of the group sponsoring the event may face disciplinary proceedings.
  - 30) In addition, pending an investigation, any approved applications of future events will be suspended until such proceedings have concluded.
  - 31) Multiple locations are available for medium-sized events based on capacity determined by the New York State Fire Marshall and the City of Geneva Code Enforcement. The Colleges will enforce the designated capacity. To determine the capacity for specific on-campus properties, please contact Student Activities.
  - 32) For large events, the number of monitors is to be decided by Social Event Request Committee, based on the expected size, specific location of the event, and standard health and safety procedures regarding crowd control.
  - 33) Below are the approved locations for large sized events. All locations are as permitted by fire code and/or Campus Safety:
    - a. Bam
    - b. Bartlett Theater
    - c. Bristol Gym
    - d. Bristol Field House
    - e. Winn-Seeley Gym
    - f. Winn-Seeley Dance Studio
    - g. William Smith Green
    - h. Bristol Green
    - i. Odell's Parking Lot
    - j. Common Room, Scandling Center
    - k. Saga, Scandling Center
    - l. Café, Scandling Center
    - m. Cellar Pub, Coxe Hall

C) Athletic-Related Events and Occasions



- 1) Alcoholic beverages are prohibited at all athletic events, with the exception of tailgate parties and sanctioned booster club activities, which must adhere to the following conditions:
  - 2) All federal, state, and local laws apply, as well as applicable Colleges' policies and procedures.
  - 3) Underage drinking is prohibited.
  - 4) These parties are permitted only during the hour before, the hour after, and at half-time of the athletic event.
  - 5) Those wishing to tailgate must park in an assigned, restricted area. Consumption of alcohol must be confined to this area.
  - 6) The amount of alcohol to be consumed must be a reasonable quantity, suitable to a picnic-type gathering.
  - 7) Parents, guests, and others must ensure that persons under the age of 21 are not served alcohol
  - 8) "Common source" containers are prohibited in the tailgating area.
  - 9) Guests of the Colleges are requested to cooperate with Campus Safety and athletics department personnel in restricting alcoholic beverages to the designated area and in prohibiting underage use.
  - 10) Underage drinking and/or disruptive behavior of any kind will result in the event being closed down.
- D) Faculty-Sponsored Events and Institutionally Sponsored Events on Campus  
The Colleges value and seek to encourage occasions at which faculty and others include students in dinners, receptions and other events, providing for informal interactions. To assure that the Colleges meet their legal responsibilities when alcohol is served, on-campus events sponsored by faculty, administrative, and other institutional departments, programs, organizations, or sponsors at which alcohol is to be served and students are present must be catered by Sodexo or another approved third-party vendor. Event sponsors are responsible for assuring that no underage drinking occurs and that underage students and others who do not wish to drink alcohol are provided with suitable options.
- E) Events and Social Occasions Off Campus
- 1) Students living off campus are expected to meet state and local laws governing alcohol and other substances.
  - 2) Underage drinking and/or disruptive behavior of any kind may result in criminal prosecution and penalties by civil authorities and disciplinary action and sanctions on the part of the Colleges.
  - 3) Parties and events sponsored by student organizations are governed by the policies and procedures described in this policy, regardless of location on or off campus.
  - 4) Faculty and other Colleges' staff and employees are advised that any events in homes or elsewhere off campus at which students are present and at which alcohol is served are governed by the policies and procedures described herein, when the occasion can be reasonably described as arising out of the faculty or staff member's relationship to students as teacher, coach, adviser, department or program director, employer, Colleges' employee, or co-participant in an institutionally-sponsored, sanctioned, or related activity. Underage drinking is prohibited.
  - 5) Under no circumstances may Colleges' funds be used to purchase alcohol to be consumed by students except in the case of on-campus dinners, receptions, and similar events catered by Sodexo or another third-party vendor. These policies and principles extend to faculty and all other employees supervising all off-campus activities, including (but not limited to) off-campus semesters, field trips, athletics and other travel, and attendance at conferences.

## II) GREEK, THEME, SMALL HOUSE, & CLUB/ORGANIZATION HOSTING POLICY & GUIDELINES

	Late Night Event (No Alcohol)	Late Night Event (Alcohol)	Educational or Social Program
<b>Start Time</b>	9pm or later	9pm or later	Before 9pm
<b>End Time</b>	1:00am	1:00am	9pm
<b>Safety Measures</b>	A designated social host student(s) must be positioned at the main entrance to ensure bottles and beverages are disposed of upon entry.	After a Social Event Request is submitted and approved, a social host safety plan will be created with staff in Student Activities and Campus Safety. The event checklist provided by Student Activities is used as a guideline to ensure all steps are followed.	As a program with goals and objectives, specific needs will be evaluated in a proposal meeting with Student Activities staff or Residential Education staff.
<b>Food and beverages</b>	As a non-alcoholic event, food and beverages provided will be the responsibility of the hosting organization.	All alcohol events may utilize a third party vendor. If not using a third party caterer, organizations must follow the TIPS-training section of the social host policy. As an alcoholic event, NYS have particular regulations around serving alcohol. Food and non-alcoholic beverages must be served at any event where alcohol is served. All non-alcoholic beverages must be provided in proportion to the number of people attending who are not of legal drinking age. A variety of non-alcoholic beverages is recommended (e.g., soda, sparkling water, etc.) Non-alcoholic beverages should be displayed and served in a visible, attractive location  Alcohol will be in proportion to guests who are 21 years of age and older.  Alcohol may be provided by a third party vendor, such as Sodexo. If using a third party caterer, the contract with the third party vendor must be signed between the vendor and Student Activities. An alcohol permit must be coordinated at least one month in advance.	As a non-alcoholic event, food and beverages provided will be the responsibility of residents or club planning the event.
<b>Campus Safety or Staff Presence</b>	Campus Safety will conduct a walkthrough of the venue within one hour of the event's start to ensure all requirements have been met.  Campus Safety will walk through the event after the end time to ensure the event has finished and guests depart the building.	A safety plan for the event will be created with Student Activities and Campus Safety prior to the event. Campus Safety will be utilized during the event. The hosts must follow social host guidelines related to the event safety plan with monitors, guest list, clicker for occupancy, and wristbands for guests 21 and older.  Additional walkthroughs of the event may take place at any time.  Campus Safety will walk through of the event after the end time to ensure the event has finished and non-residents/attendees depart the building.	Campus Safety may walk through the event at any time.

<b>Number of guests</b>	<p>Dependent upon NYS Fire Regulations. Per the Community Standards, should not exceed double the house occupancy plus one. In some situations, NYS Fire Regulations may permit larger groups in houses that have larger than standard common spaces.</p> <p>Occupancy guidelines can be provided by the Office of Student Activities.</p>	<p>Dependent upon NYS Fire Regulations and per the Community Standards, should not exceed double the house occupancy plus one for spontaneous events. In some situations, NYS Fire Regulations may permit larger groups in houses that have larger than standard common spaces.</p> <p>Occupancy guidelines can be provided by the Office of Student Activities.</p> <p>Medium sized/large sized events must have a ratio of 1 trained TIPS monitor for every 10 people in attendance. These monitors are responsible for the oversight of the event with regard to alcohol policy, risk management, and safety concerns.</p>	<p>Dependent upon NYS Fire Regulations and per the Community Standards, should not exceed double the house occupancy plus one for spontaneous events. In some situations, NYS Fire Regulations may permit larger groups in houses that have larger than standard common spaces.</p> <p>Occupancy guidelines can be provided by the Office of Student Activities.</p> <p>Medium sized/large sized events must have a ratio of 1 trained TIPS monitor for every 10 people in attendance. These monitors are responsible for the oversight of the event with regard to alcohol policy, risk management, and safety concerns.</p> <p>Greek and Club events approved by Student Activities and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Residential Education and reviewed by Social Event Request Committee.</p>
<b>Approval</b>	<p>Greek and Club events approved by Student Activities and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Residential Education and reviewed by Social Event Request Committee.</p>	<p>Greek and Club events approved by Student Activities and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Residential Education and reviewed by Social Event Request Committee.</p>	<p>Greek and Club events approved by Student Activities and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Residential Education and reviewed by Social Event Request Committee.</p>

# ***Clubs, Organizations, & Greek Life***

## **I) CLUB & ORGANIZATION REGISTRATION**

Each active club is required to register at the beginning of the fall semester in order to be recognized for the academic year. Registration consists of the submission of the club registration form on HWS Engage with the Office of Student Activities with the names of the executive board members for the club, and a copy of the club's constitution with appropriate revisions. The deadline for registration is three weeks following the Involvement Expo which occurs each fall semester. Clubs may not have access to their BAC funds until they are officially registered. If a club does not meet this deadline, it will not be recognized by the student governments or the Colleges and may not operate as a group on campus. Clubs and organizations that become inactive may, along with any new clubs, apply for recognition and be given club status at a student government meeting.

## **II) GREEK LIFE POLICIES**

### **A) Greek Recognition**

All organizations must first be recognized by their corresponding national or international organization headquarters; of equal importance, these organizations must also be recognized by the Colleges' Board of Trustees. This recognition is defined as the formal process by which Hobart and William Smith Colleges agree that a Greek organization may function on campus, enroll its members from the student body through recruitment activities and identify its chapter with the Colleges. The Office of Student Activities manage the registration process for Greek organization.

#### **1) Registration**

- a A current constitution and bylaws.
- b A completed registration form available in the Student Activities Office.
- c An updated membership roster of all HWS undergraduate members. The overall grade point average for the chapter must be at least 2.5.
- d A certificate of commercial general liability insurance (with no host, liquor, or hazing liability exclusions) to the College's satisfaction in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, naming the Colleges of Seneca as an additional insured, using the following language in the certificate: "The Colleges of the Seneca, its trustees, officers, employees, and volunteers, are hereby declared to be an additional insured under the terms of this policy. This insurance will not be canceled, non-renewed or modified without thirty (30) days written notice to the Vice President for Finance." The Colleges may modify this requirement under certain circumstances.
- e A new member education program that is approved by its respective national association and submitted to the Student Activities Office prior to membership intake. The chapter must conduct its new member program in accordance with the letter and spirit of HWS policy, inter/national organizations' policies, and the New York State laws prohibiting hazing. No new member program may last more than seven (7) weeks and must conclude no later than three (3) weeks before the final examination process begins. Students who participate in recruitment processes must be in good standing both academically and socially, be at least of sophomore standing and have a cumulative GPA of at least 2.5. Bid rosters and new member initiation rosters must be completed and submitted to the Student Activities Office by the requested times.
- f New member anti-hazing contracts must be signed within 24 hours of accepting a membership bid or offer and submitted to the Student Activities Office within 48 hours of signing. In addition, all new members are required to attend an HWS sponsored anti-hazing program during the new member education period. All active members are also required to participate in anti-hazing education within the first three weeks of the academic year.
- g Names, addresses and telephone numbers of at least 2 alumni advisory board members, 8 for chapters with housing facilities, and completed housing information submitted to Residential Education and the Student Activities Office by the established deadline by each office.

- h Develop an annual Chapter Development Plan that outlines the chapter's specific purpose and goals for the current year and submit it to the Director of Student Activities **within three weeks of transitioning newly-elected officers**. The Chapter Development Plan must include information on how the chapter will work to attain the purposes and goals of the organization in terms of the Chapter Accreditation Program Chapter
- 2) Accreditation Program  
 Fraternities were created with the strong belief that close association with fellow college men will aid in the building of friendship and the promotion of excellence in academic, community and social life. The Greek system at Hobart and William Smith Colleges today are proud to still uphold these beliefs and as a testament to this, an accreditation model exists to recognize the true meaning behind the Greek system as well as promote and help to further benefit the social and academic well-being of the Hobart and William Smith Colleges community. The accreditation process is managed by the Office of Student Activities. The model is distributed to all Greek students at the beginning of each calendar year and is tracked by the Office of Student Activities. The process for collecting and evaluating activities that apply to the Colleges' accreditation program is coordinated by the Director of Student Activities and/or his or her designee—this includes the institution of specific outcomes if an organization fails to meet accreditation standards.
- B) Housing  
 Students who belong to the Greek system may live in their organization's house during their sophomore, junior and senior years following their new member period that takes place in their sophomore year. House occupancies must observe the 80-20 rule. No less than 80% of occupants must be a mix of Juniors and Seniors and no more than 20% may be Sophomore active members. New members ("pledges") are not allowed to live in Greek organization houses. Presidents must submit a housing list to Residential Education each semester for approval the following semester. The organization is obliged to provide a room to students listed for the entire term or academic year depending on their Res Ed contract. Any student who moves out of a Greek house must move back into Colleges-owned housing. They may not move off-campus without the permission of Residential Education.
- All colleges-managed Greek organization housing must maintain 95 percent occupancy or the Greek organization residents must meet a corresponding financial obligation, or, according to the lease agreement, the Colleges may assign nonaffiliated students in order to fill the housing vacancies. Occupancy levels will be determined each semester following the second week of that semester. If such a financial obligation arises, additional room charges necessary to meet the 95 percent occupancy target will be charged to the appropriate student account for that semester.
- C) New Members/Pledging  
 The values of the accreditation program should be reflected in each organization's new member education process as well as its overall operating program. First-year students are ineligible to pledge, join or affiliate with any Greek organization by vote of the Board of Trustees in 1991; this is also valid for sororities.
- D) Recognized Organizations  
 Fraternities recognized by the Colleges for the 2019-2020 academic year are Alpha Phi Alpha, Chi Phi, Delta Chi, Kappa Alpha Society, Kappa Sigma, and Sigma Chi. Sororities recognized by the Colleges for 2019-2020 are Theta Phi Alpha.
- E) Unrecognized Greek Organization Policy  
 During periods of suspension or expulsion, unrecognized Greek organizations are prohibited from operating under their organizational name, letters or likeness thereof. By definition, an unrecognized Greek organization is a once recognized Hobart or William Smith chapter or colony whose members are prohibited from using the organizational name or engaging in activities, events, or entering into contracts/agreements whether verbal or written for any Greek organization related function while a student at Hobart and William Smith.

Activities or events may be considered Greek related if three (3) or more members (new

members/pledges and/or active/initiates) or at least one elected officer is involved. Incidents involving unrecognized Greek activities or events may result in disciplinary measures above and beyond their original sanctions. Theta Delta Chi and Phi Sigma Kappa are suspended.

The Sigma Phi Society is not currently recognized by the Board of Trustees and the Colleges. Students who affiliate with this or other disbanded or suspended organizations are subject to review and may be required to withdraw from the Colleges.

- 1) Prohibited activities may include but are not limited to:
  - a Recruiting or initiating new members - that is adding members after the time of chapter/colony suspension or expulsion.
  - b accessing HWS resources or services under the Greek organization name
  - c posting Greek organization flyers or other promotional materials on campus or via the campus network
  - d hosting campus events or activities of any kind
  - e hosting or participating in off-campus events where 3 or more members are present
  - f engaging in any legally binding contract or agreement under the Greek organization name
  - g engaging in other activities that invoke the Greek name

This policy is under the administrative purview of the Vice President for Campus Life and the Office of Student Activities.

### III) CLUB, ORGANIZATION, and GREEK LIFE GROUP ACCOUNTABILITY

An event may be considered involving a club, organization, or Greek organization when it involves (1) three or more members present, (2) takes place at an established location of the organization or at an event organized by the organization, (3) invokes the name or insignia of the organization, (4) involves the leadership of the organization, and/or (5) involves a combination of the above.

### IV) HAZING

No Greek organization, athletic team, or other campus organization shall engage in hazing or hazing-type behavior, whether required as a condition for membership, expected as part of a group tradition, or carried out as a spontaneous action. Hazing is defined as any activity or situation that recklessly or intentionally endangers the physical or mental health of anyone, that involves the forced or coerced ingestion of alcohol or other drug(s), or that interferes with anyone's academic obligations. New York State law prohibits hazing. Accordingly, the above paragraph is to be considered part of every campus organization's bylaws, pending a more formal statement by the Colleges. Any student who feels they have been subjected to hazing has recourse to mediation and/or formal grievance procedures through the Committee on Standards. Sanctions against any student found guilty of hazing include disciplinary actions ranging from a letter of reprimand to permanent separation. The Director of Student Activities, Inter-Fraternity Council and Judicial Board may hear cases when fraternities are involved. The State may also require that individuals violating the State's regulations on hazing be expelled and that organizations violating the hazing regulations lose permission to operate.

The above penalties for hazing are in addition to possible criminal sanctions imposed by the courts.

- A) New York State Hazing Laws
  - 1) 120.16. Hazing in the first degree  
"A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he or she intentionally or recklessly engages in conduct which creates a substantial risk of serious physical injury or death to such other person or a third person and thereby causes such serious injury or death to such person or to a third person. Hazing in the first degree is a class D felony.
  - 2) 120.17. Hazing in the second degree  
A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he or she intentionally or recklessly engages in

conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury. Hazing in the second degree is a class E felony.

3) 120.28. Hazing in the third degree

A person is guilty of hazing in the third degree when, in the course of another person's initiation or affiliation with any organization, they intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person. Hazing in the third degree is a class A misdemeanor.

# Appendix

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture	<b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Fentanyl 400 grams or more mixture	<b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture	<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.	Heroin 1 kilogram or more mixture	<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture	<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.	Methamphetamine 50 grams or more pure or 500 grams or more mixture	<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	PCP 100-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
<b>Substance/Quantity</b>		<b>Penalty</b>		
Any Amount Of Other Schedule I & II Substances		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid		<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV) 1 Gram		<b>Second Offense:</b> Not more than 30 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of Other Schedule III Drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of All Schedule V Drugs		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
		<b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.		
		<b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		



**Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)**

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity	Penalty			
Any Amount Of Other Schedule I & II Substances	<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if not an individual.			
Any Drug Product Containing Gamma Hydroxybutyric Acid Flunitrazepam (Schedule IV) 1 Gram	<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.			
Any Amount Of Other Schedule III Drugs	<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.			
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.			
Any Amount Of All Schedule V Drugs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.  <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.			







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COLLEGES

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