



# Handbook of Community Standards

2024 - 2025



## ***AN INTRODUCTION TO THE COMMUNITY***

### ***STANDARDS*** ..... 10

I)	PREAMBLE .....	10
II)	HOBART & WILLIAM SMITH COLLEGES MISSION STATEMENT .....	10
III)	STATEMENT OF COMMUNITY PRINCIPLES .....	10
A)	<i>Respect for Persons and for Property</i> .....	10
B)	<i>Freedom of Expression and Participation</i> .....	10
C)	<i>Intellectual Responsibility</i> .....	10
IV)	NON-DISCRIMINATION STATEMENT .....	11

### ***ACADEMIC POLICIES*** ..... 12

II)	INTRODUCTION TO ACADEMIC POLICIES: .....	12
III)	STUDENT INFORMATION .....	13
IV)	CHOSEN PRIMARY NAME, GENDER, COLLEGE-AFFILIATION AND PRONOUN. ....	16
V)	RESIDENCY .....	18
A)	Course Load Policy. ....	18
B)	Credit Hour and Out of Class Supplemental Work. ....	18
C)	Full-Credit Requirement .....	18
D)	Senior Standing .....	18
E)	Academic Residency Restrictions .....	18
F)	Leaves of Absence. ....	19
VI)	TRANSFER AND COURSE CREDIT FOR NON-HWS LEARNING EXPERIENCES.....	19
VII)	ACADEMIC DAY SCHEDULE– EFFECTIVE SPRING TERM 2024 .....	23
VIII)	REGISTRATION .....	25
E)	Repeatable Courses a student's grade point average. ....	27
F)	Special Topic Courses .....	27
G)	Credit Bearing Internships: .....	27
H)	Attendance: .....	27
IX)	GRADING .....	29
X)	ACADEMIC STANDING .....	33
XI)	GRADUATION AND COMMENCEMENT .....	35
XII)	Policies and Procedures for Students with Disabilities .....	36
XIII)	Plagiarism Defined .....	40

### ***ADMINISTRATIVE POLICIES*** ..... 42

I)	BILLING POLICIES .....	42
II)	FINANCIAL AID .....	42

III)	<b>LIBRARY POLICIES.....</b>	<b>42</b>
A)	Borrowing Materials .....	42
B)	Interlibrary Loan Requests .....	43
C)	Facilities & Services .....	43
D)	Using the Library.....	43
IV)	<b>HUBBS HEALTH CENTER POLICIES .....</b>	<b>43</b>
A)	Emergency Care .....	44
B)	Excuses .....	44
C)	HIV Testing .....	44
D)	Health Insurance.....	44
V)	<b>HIV/AIDS POLICY .....</b>	<b>44</b>
VI)	<b>MEAL PLANS .....</b>	<b>45</b>
A)	Meal Plan Options .....	45
B)	Medical Exemptions.....	45
VII)	<b>RESPONSIBLE &amp; ACCEPTABLE USE OF ELECTRONIC RESOURCES .....</b>	<b>45</b>
VIII)	<b>POLICY ON MEDICAL LEAVES OF ABSENCE.....</b>	<b>45</b>
A)	Voluntary Medical Leaves of Absences .....	46
B)	Involuntary Leaves of Absences .....	46
C)	Procedures for Medical/Psychological Leaves of Absence .....	47
D)	Emergency Interim Withdrawal .....	49
E)	Status at Hobart and William Smith.....	49
IX)	<b>VENDING POLICY.....</b>	<b>50</b>
A)	Approval .....	50
B)	Vending Criteria .....	50
C)	Vending areas and requirements .....	50
D)	Accountability .....	50
E)	Enforcement.....	50
X)	<b>USE OF HOBART AND WILLIAM SMITH NAME AND INSIGNIA .....</b>	<b>51</b>
XI)	<b>SOLICITATION AND PROSELYTIZATION POLICY .....</b>	<b>51</b>
XII)	<b>RULES OF CONDUCT FOR DEMONSTRATORS.....</b>	<b>51</b>
A)	Overview .....	51
B)	Definitions.....	52
C)	Pre-Planning .....	52
D)	General Guidelines .....	53
E)	General Procedure .....	53
F)	Response to Demonstrations/Protests.....	53

G)	Prohibited Conduct.....	54
XIII)	VEHICULAR TRAFFIC AND PARKING REGULATIONS.....	54
	<b>STUDENT CONDUCT PROCESS .....</b>	<b>55</b>
I)	STUDENT CONDUCT SYSTEM .....	55
II)	CRIME STATISTICS.....	55
III)	CONDUCT AUTHORITY .....	55
IV)	JURISDICTION OF HOBART AND WILLIAM SMITH.....	55
V)	DEFINITIONS.....	55
VI)	REPORTING OPTIONS.....	56
A)	Confidential Resources::.....	56
B)	Reporting Parties: .....	56
VII)	INTERIM MEASURES.....	57
VIII)	INVESTIGATION. ....	57
IX)	RESOLUTION.....	57
A)	Informal Resolution .....	57
B)	Formal Resolution.....	60
C)	Sanctions.....	64
1)	Restorative Justice Process.....	64
2)	Verbal Warning .....	64
3)	Written Warning .....	64
4)	Restitution .....	64
5)	Educational Activity .....	64
6)	Revoking Privileges .....	65
7)	Deferred Residential Re-assignment.....	65
8)	Residential Re-assignment.....	65
9)	Social Probation.....	65
10)	Fines .....	65
12)	Required Withdrawal/Suspension.....	65
13)	Permanent Separation.....	65
14)	Degree Revocation.....	65
D)	Hobart and William Smith Conduct Process & Responses for Alcohol and Other Drug (AOD) Violations.....	65
E)	Records .....	67
F)	Transcript Notation Policy for Crimes of Violence .....	67
G)	Appeals .....	68
H)	Interim Suspension .....	69
I)	No Contact Order or Active Avoidance Directive.....	69

J)	Withdrawal and Readmission .....	70
K)	Abuse of the Conduct System .....	70
L)	HWS Forward.....	70
M)	New York State Education Law 129-A Compliance.....	70
N)	Interpretation and Revision .....	71
	<b>PROHIBITED CONDUCT.....</b>	<b>72</b>
I)	INTRODUCTION.....	72
II)	RULES & REGULATIONS.....	72
	<b>NON-DISCRIMINATION &amp; ANTI-HARASSMENT</b>	
	<b>POLICY .....</b>	<b>76</b>
I)	NON-DISCRIMINATION STATEMENT.....	76
II)	PROHIBITED CONDUCT .....	76
A)	Prohibited Discrimination .....	76
B)	Prohibited Harassment.....	76
C)	Retaliation .....	76
III)	REPORTING, INVESTIGATION, and RESOLUTION PROCEDURES.....	76
	<b>ALCOHOL &amp; OTHER DRUGS POLICY .....</b>	<b>77</b>
I)	INTRODUCTION.....	77
II)	HOBART AND WILLIAM SMITH MEDICAL AMNESTY POLICY.....	77
III)	NOTIFICATION AND OUTREACH .....	77
IV)	ALCOHOL POLICY .....	78
V)	OTHER DRUGS POLICIES.....	79
VI)	FEDERAL, STATE, AND LOCAL SANCTIONS.....	80
A)	Federal Law .....	80
B)	State Law.....	80
C)	Local Ordinances.....	80
D)	Civil Liabilities.....	81
VII)	HEALTH RISKS OF ALCOHOL AND OTHER DRUGS .....	81
A)	Alcohol .....	81
B)	Marijuana/Cannabis .....	81
C)	Cocaine/Crack.....	82
D)	Opiates (Heroin, pain pills, Codeine, Darvon, Vicodin, Percodan) .....	82
E)	Hallucinogens (PCP, LSD, MDMA (Ecstasy), Designer Drugs) .....	82
F)	Amphetamines (Benzedrine, Dexedrine cross tops, whites, uppers; Methamphetamines – crank, crystal) .....	82

G)	Sedatives (Barbiturates; tranquilizers – Valium, Xanax; Seconal, Tuinal – reds, downers) .....	82
VIII)	<b>EDUCATIONAL AND COUNSELING PROGRAMS FOR ALCOHOL &amp; OTHER DRUGS.....</b>	<b>82</b>
IX)	<b>DRUG-FREE WORKPLACE POLICY.....</b>	<b>83</b>
A)	Sanctions for Violation or Non-Compliance .....	83
B)	Compliance as a Condition of Employment.....	84
C)	Employee Obligation for Notification of Conviction.....	84
E)	Maintenance of a Drug-Free Workplace .....	84
	<b><i>RESIDENTIAL POLICIES .....</i></b>	<b><i>85</i></b>
I)	<b>INTRODUCTION.....</b>	<b>85</b>
II)	<b>RESIDENCY REQUIREMENT.....</b>	<b>85</b>
III)	<b>LIVING OFF-CAMPUS .....</b>	<b>85</b>
A)	Off-Campus Process & Permission .....	85
B)	Residency Exception Requests .....	85
C)	Meal Plan Requirement .....	86
D)	Off-Campus Permission Status .....	86
IV)	<b>ROOM CHECKS .....</b>	<b>86</b>
V)	<b>SOCIAL SPACES .....</b>	<b>86</b>
VI)	<b>GENERAL REGULATIONS .....</b>	<b>87</b>
VII)	<b>FIRE SAFETY POLICIES .....</b>	<b>88</b>
VIII)	<b>PUBLIC ORDER.....</b>	<b>90</b>
E)	General Policies .....	90
F)	Penalties.....	90
G)	Removal of Violators from Campus.....	90
	<b><i>SOCIAL HOSTING GUIDELINES &amp; POLICIES.....</i></b>	<b><i>91</i></b>
1)	<b>GENERAL POLICIES.....</b>	<b>91</b>
2)	<b>TYPES/CATEGORIES OF EVENTS .....</b>	<b>93</b>
3)	<b>REQUEST PROCESS .....</b>	<b>94</b>
4)	<b>EVENT TIME &amp; LOCATION .....</b>	<b>95</b>
5)	<b>TIPS MONITORS.....</b>	<b>96</b>
6)	<b>TYPES AND QUANTITIES OF ALCOHOL ALLOWED .....</b>	<b>97</b>
7)	<b>ATHLETIC-RELATED EVENTS AND OCCASIONS .....</b>	<b>97</b>
8)	<b>FACULTY-SPONSORED EVENTS AND INSTITUTIONALLY SPONSORED EVENTS ON CAMPUS 98</b>	
9)	<b>EVENTS AND SOCIAL OCCASIONS OFF CAMPUS .....</b>	<b>98</b>

**I) GREEK, THEME, SMALL HOUSE, & CLUB/ORGANIZATION HOSTING POLICY & GUIDELINES .....99**  
***CLUBS, ORGANIZATIONS, & GREEK LIFE ..... 101***

**I) CLUB & ORGANIZATION REGISTRATION ..... 101**

**II) GREEK LIFE POLICIES..... 101**

A. Greek Recognition ..... 101

B. Return to Active Status for a Dormant Organization ..... 102

C. Ongoing Requirements for All Organizations ..... 102

D. Housing ..... 103

E. New Members/Pledging..... 104

F. Recognized Organizations ..... 104

G. Unrecognized Greek Organization Policy ..... 104

**III) CLUB, ORGANIZATION, and GREEK LIFE GROUP ACCOUNTABILITY..... 105**

**IV) HAZING..... 105**



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' Living in Community website (<https://www.hws.edu/offices/campus-life/living-in-community.aspx/>) – updated August 21, 2024.

# ***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 Hobart and William Smith 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 Hobart and William Smith.

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

Hobart and William Smith Colleges prepare students to lead lives of consequence.

- By helping them connect their talents and interests to meaningful, high-impact pursuits.
- By spurring cultural exploration and global citizenship.
- By offering opportunities to amplify knowledge through hands-on experience.
- By nurturing discovery and unlocking potential.
- By modeling values and points of view that equip them to author the world as it could be.

## **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 Hobart and William Smith, 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. Hobart and William Smith 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. Hobart and William Smith expect that those who enjoy this privilege also accept the responsibility for their actions and for maintaining order. Hobart and William Smith also recognize the rights of those who desire not to protest and who wish to continue to participate in the normal activities of Hobart and William Smith.

### **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 age, color, disability, domestic violence victim status, gender, gender expression, gender identity, genetic information, national origin, race, shared ancestry, religion, sex, sexual orientation, pregnancy, veteran status, or any other status protected under the law..

Discrimination on the basis of sex includes sexual harassment, sexual violence, sexual assault, other forms of sexual misconduct including stalking and intimate partner violence, and gender-based harassment that does not involve conduct of a sexual nature, as defined in Hobart and William Smith Title IX, Discrimination, and Harassment 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 Anti-Harassment Policy; the Title IX, Discrimination, and Harassment Policy; and (2) the Employee Handbook.**

# Academic Policies

## I) COURSE CATALOGUE

The Hobart and William Smith Colleges' *Catalogue* is prepared for the benefit of students, faculty, and administrators of Hobart and William Smith. It is the primary reference for information about the curriculum, academic policies, majors and minors, and courses. As academic achievement is a foundational component of the community, the academic policies in this section are excerpted from the *Catalogue* as part of the Community Standards. For more information about policies and procedures, visit the [Office of the Registrar](#).

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 their own education and must undertake all academic work with complete honesty and integrity. As well, each student must do their 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 that are not the student'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 advisor'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 advisor 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 Hobart and William Smith community. (For more information about the Committee on Standards, please review the Disciplinary Process section of the Handbook of 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.

### III) STUDENT INFORMATION

#### A) Family Educational Rights and Privacy Act (FERPA)

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 Hobart and William Smith or by a party acting for Hobart and William Smith, 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:

- 1) 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;
- 2) 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;
- 3) 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 Hobart and William Smith who are employed as a result of their status as students are education records, e.g., work-study.);
- 4) 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
- 5) 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.

#### B) 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.

#### C) Directory Information.

Hobart and William Smith 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:

- Full name
- Address
- Email address
- Telephone number
- Class/year level
- Dates of attendance
- Date of graduation
- Degree and major, awards or honors received
- Most recent previous educational institution attended by the student

- Date and place of birth
- Activities list
- Height and weight of athletes
- Photograph

The above information may be released by Hobart and William Smith 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 Hobart and William Smith and to restrict the right of Hobart and William Smith 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")

#### D) **Restricted Information.**

Generally, Hobart and William Smith 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.

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

There are, however, exceptions to this release policy. Federal law allows Hobart and William Smith 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, Hobart and William Smith may disclose education records without written consent of students to the following:

- School officials determined to have a legitimate educational interest. A school official is a person employed by Hobart and William Smith 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 Hobart and William Smith 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 their 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.
- 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; in connection with a student's application for or receipt of financial aid.
- 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;
- Accrediting organizations carrying out their accrediting functions.
- 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).

- In compliance with judicial orders or lawful subpoenas. In such cases, Hobart and William Smith 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)(iii)).
- 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.

**E) 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:

- 1) The right to inspect and review the student's education records within 45 days of the day Hobart and William Smith 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 the 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.

- 2) 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 Hobart and William Smith 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 Hobart and William Smith decide not to amend the record as requested by the student, Hobart and William Smith 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 Hobart and William Smith 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.

- 3) 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).
- 4) 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)

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

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. Hobart and William Smith 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 Hobart and William Smith. Therefore, consistent with its general practices for amending other students' records, Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith, 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 Hobart and William Smith 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 Hobart and William Smith community with other students, faculty and staff.

**D) Registering a Chosen Primary, Gender, College-Affiliation, and/or Chosen Pronoun.** In order to notify Hobart and William Smith of a Chosen name, gender, College-affiliation, and/or pronoun, students may complete a Chosen Name, Gender, and Pronoun Request Form (<https://forms.office.com/Pages/ResponsePage.aspx?id=PMS96d1d9E-ic7KYDt0DqwmMdmr9cJJlKfuiTi0AI9UMktQM1RZSDhDSTRSM0wyUUNQTUM2RFIWQi4u>) 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 Hobart and William Smith 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 Hobart and William Smith to share their legal name with external organizations can request a FERPA (Family Educational Rights and Privacy Act) directory exclusion, which revokes Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith system and simultaneously be listed by their legal name in the directory.

Hobart and William Smith 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 Hobart and William Smith, 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)).

**V) RESIDENCY**

**A) 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 be processed on 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 advisor.

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.

**B) 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 semester hours. (See: <http://www.nysed.gov/common/nysed/files/core-regs-task3.docx>) 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. At HWS, that means that one course requires at least 45 hours (of 50 minutes each) of instruction and at least 90 hours of supplemental assignments.

**C) Full-Credit Requirement**

A minimum of 30 of the required 32 courses presented in satisfaction of Hobart and William Smith 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.

**D) Senior Standing**

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

**E) 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.

#### **F) 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. Hobart and William Smith are not obliged to accept toward the degree coursework for which prior tentative approval had not been procured.

Policies governing medical leaves of absence are different and explicated in The Handbook of Community Standards.

### **VI) TRANSFER AND COURSE CREDIT FOR NON-HWS LEARNING EXPERIENCES**

There are three types of credit granted for non-HWS learning experiences: credit by exam, transfer credit, and dual enrollment. First-year HWS students who are not transfer students are allowed to receive up to seven full credits for non-HWS learning experiences completed prior to beginning at HWS, including all transfer credit, credit by exam, and dual enrollment courses. Students may additionally receive transfer credit for courses taken at another institution after they have started their program at HWS, for a total of sixteen transfer credits all together. All current HWS students should obtain required departmental and faculty approvals prior to registering for non-HWS courses using the Transfer Credit Request form. Students who transfer to HWS from another school may be granted a total of sixteen credits for prior non-HWS learning experiences (transfer, credit by exam, and dual enrollment) that meet all criteria. No student will receive more than a total of sixteen credits for non-HWS learning experiences. There are additional specific limits to the numbers of credits that can be earned for each type (described below).

The courses and exams for which credit is granted must be distinct from the courses taken at HWS. That is, credit will not be granted for a learning experience that is substantively the same as a course taken while at HWS. Credit previously granted may be removed should a student subsequently take a similar course. Discretion to exclude credit on this basis belongs to the department chair.

#### **A) Transfer Credits**

Transfer credit may be granted for college-level courses completed at another institution prior to beginning study at HWS. Transfer students may be granted up to sixteen credits for work completed at another institution. Entering first-year students may be granted up to seven credits for courses taken elsewhere. Transfer credit may also be granted for college-level courses completed after an HWS student has begun their study at HWS. Please note that once a student is matriculated, approval from a dean and any relevant faculty department/program chairs and/or advisors must be obtained (in writing) in advance of the transfer courses being taken. To make this request, students may use the Transfer Credit Request form.

Transferred courses fulfill general elective requirements and may be counted toward the thirty-two credits required for the degree. These credits may additionally be used to satisfy major and minor requirements, but only with the expressed approval of the individual department or program. The use of transfer credits to satisfy prerequisite requirements for other parts of the curriculum, or to satisfy any of the eight goals, also requires approval by the individual departments or programs.

Courses taken at another institution through an approved HWS program, such as Global Education, are not considered transfer credits and do not require transfer approval for general credit. However, they may require departmental approval to be used to address a major or minor requirement.

Transfer credit is granted only after receipt of an official transcript from the other institution, and only courses passed with a grade of C- (1.7) or better are accepted. When transfer credit is awarded, grades for the courses do not appear on the HWS transcript and are not calculated as part of a student's grade point average (GPA).

Please note these additional restrictions on the awarding of transfer credit.:

- Courses must be taken at a regionally 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.
- Only letter-graded courses may be transferred. Courses taken pass/fail or credit/no credit are ineligible for transfer.
- 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 toward a full credit transfer course.
- To receive transfer credit for courses taken outside the U.S. a student must submit a course-by-course evaluation by an evaluation service that is a member of either the National Association of Credential Evaluation Services, Inc. (NACES) or the Association of International Credentials Evaluators (AICE).
- HWS does not accept credit for NOLS or Semester at Sea.
- EMT courses are not generally accepted. However, if an EMT course has substantial academic content (e.g., the EMT course taken at Finger Lakes Community College), a student may submit a syllabus along with their transcript for review by the Chair of the Health Professions department.

**B) Credit by Exam**

HWS recognizes established credit by examination programs and grants general elective credits for up to seven credits for incoming first-year students as outlined below. These credits may additionally be used to satisfy major and minor requirements, but only with the expressed approval of the individual department or program. The use of credit by exam credits to satisfy prerequisite requirements for other parts of the curriculum also requires approval by the individual departments or programs. Credit by exam courses may not be used to satisfy any of the eight aspirational goals required by the curriculum. Students must request that their scores be sent from the institution administering the exams directly to Hobart and William Smith; scores cannot be taken from the student's High School transcript or personal copy.

- 1) **Advanced Placement (AP).** Admitted students who have earned a score of four or five on an Advanced Placement test may receive general elective course credit toward graduation in accordance with published guidelines of The College Board. Additionally, some AP exams are considered equivalent to HWS courses and may be used toward major or minor requirements and prerequisites in the same manner as the equivalent HWS course. See the table below. Generally, each exam with a score of four or five represents a semester of work and will count for one course credit. Examinations that cover a full year's work allow a student to earn two credits.

Exam Name	# of Course Credits	Equivalent HWS Course(s)
AP 2-D Art and Design	2	At discretion of Department
AP 3-D Art and Design	2	At discretion of Department
AP Art History	2	1 100-level Art History course credit and 1 general elective credit
AP Biology	2	BIOL 167 with score of 5, General Elective for a score of 4
AP Calculus AB	1	Math 130
AP Calculus BC	2	Math 131
AP Chemistry	2	General Elective
AP Chinese History and Culture	1	General Elective
AP Comparative Government & Politics	1	General Elective
AP Computer Science A	1	General Elective
AP Computer Science Principles	2	General Elective
AP Drawing	2	At discretion of Department
AP English Language and Composition	2	General Elective
AP English Literature and Composition	2	General Elective
AP Environmental Science	1	General Elective
AP European History	2	General Elective
AP French Language and Culture	2	General Elective
AP German Language and Culture	2	General Elective
AP Human Geography	1	General Elective
AP Italian Language & Culture	1	General Elective
AP Japanese Language & Culture	1	General Elective
AP Latin	2	General Elective
AP Macroeconomics	1	General Elective
AP Microeconomics	1	General Elective
AP Music Theory	2	General Elective
AP Physics 1	2	At discretion of Department
AP Physics 2	2	At discretion of Department
AP Physics 3	2	At discretion of Department
AP Physics C: Electricity and Magnetism	1	At discretion of Department
AP Physics C: Mechanics	1	At discretion of Department
AP Psychology	1	Psychology 100
AP Spanish Language and Culture	2	General Elective

AP Spanish Literature and Culture	2	General Elective
AP Statistics	1	General Elective
AP United States Gov and Politics	1	General Elective
AP United States History	2	General Elective
AP World History: Modern	2	General Elective

- 2) **College Level Examination Program (CLEP).** Hobart and William Smith 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 HWS curriculum. The HWS credit-granting score is 50 or higher on a CLEP exam, as recommended by the American Council on Education (ACE). Students are allowed a maximum of four CLEP course credits
- 3) **International Baccalaureate (IB).** Hobart and William Smith Colleges recognize academic work taken toward the International Baccalaureate program and grants 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 exams generally receiving credit.
- 4) **The Regents College Examination Program (RCE).** Hobart and William Smith participate in the Regents College Examination Program 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 exams in a variety of fields corresponding to Hobart and William Smith curriculum. Hobart and William Smith 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 only. Hobart and William Smith do not award course credit for RCE exams taken for a Pass/Fail grade. Students are allowed a maximum of four RCE course credits.

It is the obligation of the student to apply for the examination to the Regents College Examination Program, New York State Education Department, Albany NY, 12224.

- 5) **General Certificate of Secondary Education Advanced Level (GCSE A-Level).** Hobart and William Smith Colleges award two credits for each A-level exam passed at the grade of C or higher. An official copy of the results must be sent to the Hobart and William Smith Office of the Registrar.
- 6) **Dual Enrollment**  
Dual enrollment (DE) credit is defined as college credit earned during a student's high school experience prior to high school graduation. Examples of dual enrollment courses are those taken through the Gemini Program of the Geneva City School District and the Syracuse University Project Advance (SUPA) program. Students may request credit for up to seven dual-enrollment courses toward the thirty-two credits required of the degree. DE course credits may additionally be used to satisfy major and minor requirements, but only with the expressed approval of the individual department or program. The use of DE credits to satisfy prerequisite requirements for other parts of the curriculum also requires approval by the individual departments or programs. DE course credits may not be used to satisfy any of the eight aspirational goals required for the degree.

Dual enrollment courses are evaluated for transfer credit upon receipt of an official college transcript sent directly to the Registrar's Office ([registrar@hws.edu](mailto:registrar@hws.edu); Office of the Registrar, attn:transcripts, 300 Pulteney Street, Geneva, NY 14456). Courses may be approved for

general elective credit to count toward the 32 required courses for the degree, but may additionally be approved to satisfy individual major or minor requirements.

## VII) ACADEMIC DAY SCHEDULE– EFFECTIVE SPRING TERM 2024

	Monday	Tuesday	Wednesday	Thursday	Friday
8:00		ED1 T 7:30-8:30		ED2 R 7:30-8:30	
10					
20					
30					
40	C1 MWF 8:30-9:30		C1 MWF 8:30-9:30		C1 MWF 8:30-9:30
50					C6b MWF 8:00-9:30
9:00					
10		C10 TR 8:40-10:10		C10 TR 8:40-10:10	
20					
30					
40					
50					
10:00	C2 MWF 9:40-10:40		C2 MWF 9:40-10:40		C2 MWF 9:40-10:40
10		L4 T 8:40-11:40		L9 R 8:40-11:40	
20					
30					
40					
50					
11:00	C3 MWF 10:50-11:50	C11 TR 10:20-11:50	C3 MWF 10:50-11:50	C11 TR 10:20-11:50	C3 MWF 10:50-11:50
10					L11 F 9:40-12:40
20					
30					
40					
50					
12:00	C4 MWF 12:00-1:00	C5 TR 12:00-1:00 & F 1:10-2:10	C4 MWF 12:00-1:00	C5 TR 12:00-1:00 & F 1:10-2:10	C4 MWF 12:00-1:00
10					
20					
30					
40					
50					
1:00					
10					C5 TR 12:00-1:00 & F 1:10-2:10
20					
30					
40					
50					
2:00	C7 MW 1:10-2:40	C12 TR 1:10-2:40	C7 MW 1:10-2:40	C12 TR 1:10-2:40	
10					
20					
30					
40					
50					
3:00					
10					
20					
30					
40					
50					
4:00					
10					
20					
7:00					
10					
20					
30					
40					
50					
8:00					
10					
20					
30					
40					
50					
9:00					
10					
20					
30					
40					
50					
10:00					

CLASS PERIODS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
C1	MWF	8:30 am – 9:30 am	1 hr	3 times	3 hrs
C2	MWF	9:40 am – 10:40 am	1 hr	3 times	3 hrs
C3	MWF	10:50 am – 11:50 am	1 hr	3 times	3 hrs
C4	MWF	12:00 pm – 1:00 pm	1 hr	3 times	3 hrs
C5	TR and F	12:00 pm to 1:00 pm 1:10 pm – 2:10 pm	1 hr	3 times	3 hrs
C6a	MW	8:00 am – 9:30 am	1.5 hrs	2 times	3 hrs
C6b	MWF	8:00 am – 9:30 am	1.5 hrs	3 times	4.5 hrs
C7	MW	1:10 pm – 2:40 pm	1.5 hrs	2 times	3 hrs
C8	MW	2:50 pm – 4:20 pm	1.5 hrs	2 times	3 hrs
C9	MW	7:30 pm – 9:00 pm	1.5 hrs	2 times	3 hrs
C10	TR	8:40 am – 10:10 am	1.5 hrs	2 times	3 hrs
C11	TR	10:20 am – 11:50 am	1.5 hrs	2 times	3 hrs
C12	TR	1:10 pm – 2:40 pm	1.5 hrs	2 times	3 hrs
C13	TR	2:50 pm – 4:20 pm	1.5 hrs	2 times	3 hrs

#### LABS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
L1	M	9:40 am – 12:40 pm	3 hrs	1 time	3 hrs
L2	M	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
L3	M	7:30 pm – 10:30 pm	3 hrs	1 time	3 hrs
L4	T	8:40 am – 11:40 am	3 hrs	1 time	3 hrs
L5	T	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
L6	W	9:40 am – 12:40 pm	3 hrs	1 time	3 hrs
L7	W	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
L8	W	7:30 pm – 10:30 pm	3 hrs	1 time	3 hrs
L9	R	8:40 am – 11:40 am	3 hrs	1 time	3 hrs
L10	R	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
L11	F	9:40 am – 12:40 pm	3 hrs	1 time	3 hrs

#### SEMINARS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
S1	M	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
S2	M	7:30 pm – 10:30 pm	3 hrs	1 time	3 hrs
S3	T	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs
S4	W	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs



S5	W	7:30 pm – 10:30 pm	3 hrs	1 time	3 hrs
S6	R	1:10 pm – 4:10 pm	3 hrs	1 time	3 hrs

#### EDUCATION SEMINARS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
ED1	T	7:30 am – 8:30 am	1 hr	1 time	1 hr
ED2	R	7:30 am – 8:30 am	1 hr	1 time	1 hr

#### DANCE STUDIOS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
D1	MWF	9:40 am – 11:10 am	1.5 hrs	3 times	4.5 hrs
D2	MWF	11:20 am – 12:50 pm	1.5 hrs	3 times	4.5 hrs
D3	MWF	1:10 pm – 2:40 pm	1.5 hrs	3 times	4.5 hrs
D4	MWF	2:50 pm – 4:20 pm	1.5 hrs	3 times	4.5 hrs
D5	TR	2:50 pm – 4:50 pm	2 hrs	2 times	4 hrs

#### ART STUDIOS

Period	Days	Times	Duration of Meetings	Meetings per Week	Contact Hours per Week
A1	MW	9:40 am – 12:25 pm	2.75 hrs	2 times	5.5 hrs
A2	MW	1:25 pm – 4:20 pm	2.75 hrs	2 times	5.5 hrs
A3	TR	8:55 am – 11:40 am	2.75 hrs	2 times	5.5 hrs
A4	TR	1:25 pm – 4:20 pm	2.75 hrs	2 times	5.5 hrs

### VIII) REGISTRATION

#### A) Registering for Courses

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 Hobart and William Smith may be denied registration or deregistered from classes. (See "General Payment Schedule" in the Tuition and Expenses section below.)

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

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.

#### B) 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 Hobart and William Smith 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.

### **C) Dropping and Adding Courses**

Students may drop and add a course during the first five days of class via the online 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 they were 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 withdrawal (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 additional approval of the instructor of both the class to be added and the class to be dropped, as well as the approval of their advisor.

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.

### **D) Course Audit Policy**

Matriculated HWS students and current faculty/staff who wish to audit a class must obtain approval from the instructor offering the class. This approval must be granted either using the Course Audit Registration Form or an email from the instructor to the Registrar's Office. Matriculated students can only audit one class in a given semester and no more than four course audits during their undergraduate career; there are no limits to the number of courses a faculty/staff member can audit. There is no additional tuition for matriculated students or current faculty/staff who register to audit a course.

Non-matriculated HWS students who wish to audit a class must obtain approval from the instructor offering the class. This approval must be granted either using the Course Audit Registration Form or an email from the instructor to the Registrar's Office. There is a nominal fee to audit a course as a non-matriculated student. More information can be obtained from the Registrar's Office.

The following conditions apply when auditing a course:

- Audits may be added only during the add/drop period of the semester.
- Audited classes carry no credit and do not apply toward graduation requirements, or enrollment status.

- Students and faculty/staff auditing a course are not expected to submit any work for the course unless the instructor requires it as part of the auditing arrangement.
- The instructor of an audited course is not expected to grade any work from an auditing student, nor track an auditing student's participation or attendance.
- Auditors cannot change a course from an audit to a graded course (including CR/DCR/NC) at any time during the semester they are auditing the course.
- The instructor of record reserves the right to de-register an auditor at any time.
- A notation of "AUD" will appear on auditors' transcripts for audited courses.

#### E) **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.

#### F) **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.

#### G) **Credit Bearing Internships**

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

1. **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 advisor. 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 advisor to discuss the internship, and to make sure all required documentation has been submitted and received. Once their advisor has approved the internship, students should bring the form to their dean for final approval. An evaluation from the site supervisor should be sent to the advisor, after the internship is completed, and the advisor will submit a CR/NC grade. Any international student doing an INT 199 must have the additional signature of the Director of International Students Affairs.
2. **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. Full credit internships may be taken for a letter grade or for credit/no credit/D credit.

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

#### H) **Attendance**

The faculty of Hobart and William Smith Colleges, recognizing the responsibility of the individual student for their own education, assumes class attendance to be crucial to academic success at Hobart and William Smith. This responsibility is three-fold:

##### A **Hobart and William Smith:**

No student shall be suspended or refused admission because they are unable to

participate in any examination, study, or work requirement because of religious obligations and practices. Hobart and William Smith 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, their 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, Hobart and William Smith 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 of Hobart and William Smith 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 their 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 non-attendance 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 themselves. 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 their priorities lie before enrolling in the course. By remaining in the course, the student agrees to accept the attendance policy set by the professor.

- 1) ***Intercollegiate Athletics and Post-Season Competition.*** The Hobart and William Smith Faculty recognize that intercollegiate athletics is an activity endorsed and supported by Hobart and William Smith. Whenever a student represents Hobart and William Smith 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.

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 Hobart and William Smith value the benefits of intercollegiate activities for participants and Hobart and William Smith 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 these following policy guidelines are in accord with NCAA Division III rules:

- The director of athletics will arrange the schedules of competition to minimize missed class time.
- Coaches may not require student-athletes to miss class to attend practices or meetings with the exception of NCAA Championship competition.
- 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.
- Faculty members will announce class attendance policies and other requirements at the beginning of their courses.
- 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.
- Student-athletes are responsible for making arrangements for completing any work missed because of an athletic competition.
- 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.

## IX) GRADING

### A) Grades

Students' transcripts include a record of each course taken at Hobart and William Smith.

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.

### **Change of Grading Option**

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/NCR/DCR grading option after the course is completed and the instructor has submitted a final letter grade to the Registrar. Students may change from a letter grade to a CR/DCR/NCR grade anytime between when their letter grade is posted until two weeks after the deadline for Incomplete grade submissions. For courses taken in the Fall semester, students would have until the eighth week of the Spring semester to make a change. For courses taken in the Spring semester, students would have until the end of the fourth 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 same semester they are taking the course.

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 advisor, 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. Students also may not change a course they are repeating to a CR/DCR/NC grading option, unless that course is designated as a Topics course and they are taking a different topic than the one they were previously enrolled in.

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. The Change of Grading Option policy limits students to a total of four CR/DCR/NC and D grades.

- 1) ***Students entering HWS prior to Fall 2018.*** The academic policy governing grading options is different for students who began their program prior to fall 2018. Students in this category are bound by the policy outlined in the catalogue associated with their matriculation year.

### **B) Grade Appeals**

The assignment of grades remains in all cases the final responsibility and prerogative of the instructor, subject only to Hobart and William Smith policies on authorized withdrawals and changes of grade, as described above. Disagreement with or disappointment in an instructor's evaluation of their 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 their 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 their 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 advisor, ask the instructor formally to reconsider their 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.

- If the instructor does not respond to a request for information within one month or, when a case arises at the end of the semester, until the end of the fourth week of the following semester, the chairperson of the department or program can consult with the student's dean and work with the Provost to evaluate the student's work and consider revising the grade. All decisions by the Provost are final.

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 to 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, advisor, and dean. Approved retroactive authorized withdrawals will be communicated immediately to the student's advisor 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) **Course Withdrawals**

There are two kinds of course withdrawals. The *voluntary course withdrawal* and the *authorized course withdrawal*. 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.

- 1) **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 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 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 advisor 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.

- E) **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 advisor 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.

Students who are not approved for either voluntary or authorized withdrawal remain enrolled in the course and will receive a grade. 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.

**F) 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 either until 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.

**G) Course Repeat (Does Not Apply to 'Repeatable Courses')**

Students may repeat courses in which they have earned a grade below a C-. 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 Hobart and William Smith 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.

## X) ACADEMIC STANDING

### A) How to Calculate Grade Point Average

Grade	Quality Points
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-	0.7
F (Failure)	0.0

**GPA** is calculated by first summing the earned **Quality Points** and dividing by the total **Graded Course Credits**.

- **Quality Points** = points awarded based on grade received times the credit that each course is worth.
- **Graded Course Credits** = graded course credits that count toward the degree.

Example:

Course	Course Credit	Graded Course Credit	Quality Points
ENG 214 Victorian Poets	1.00	0.00 CR	0.000
HIST 228 African-American History II	1.00	1.00 B+	3.300
HIST 231 Modern Latin America	1.00	1.00 B	3.000
HIST 327 Central America and the US	1.00	1.00 A-	3.700

<b>TERM TOTALS:</b>	<b>4.00</b>	<b>3.00</b>	<b>10.00</b>
---------------------	-------------	-------------	--------------

**TERM GPA: 3.330** (Total Quality Points (10.00) divided by Graded Course Credit (3.0) = 3.330 GPA)

Note the following grades are not calculated as part of the grade point average:

- CR = Credit (Passed with C- or better)
- DCR = Passed with a D+, D, or D- grade
- NC = Not sufficient for credit toward the degree (Prior to 2012, NC included courses passed with a D+, D, or D- grade)
- AW = Authorized course withdrawal
- SAW = Special authorized course withdrawal due to COVID
- VW = Voluntary course withdrawal
- W = Withdrawn from course(s) and left College
- I = Incomplete

**B) Academic Standing and Progress to the 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 they fail to gain good standing (2.0 GPA) after being on continued academic probation, or if they earn 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 Hobart and William Smith loses their 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 Hobart and William Smith.

**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)(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.

- 1) **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.

## **XI) GRADUATION AND COMMENCEMENT**

### **A) Baccalaureate Candidacy**

All students must have submitted to their advisor 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.

### **B) Conferral Dates**

Degrees are conferred three times each year. In May degrees are voted and conferred on students who complete their requirements in the spring semester. Students who complete over the summer

have degrees conferred in August and students who complete their requirements during the fall semester have degrees conferred in January. Commencement in May is meant to celebrate all students who graduate in August, January, and May together in one ceremony.

**C) 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.

**XII) Policies and Procedures for Students with Disabilities**

The Disability Services team is housed in the Center for Teaching and Learning which offers a range of services designed to create learning opportunities that can assist all students on campus in meeting their educational goals and the academic standards of Hobart and William Smith. The CTL staff includes individuals who specialize in helping students with reading, writing, time management, and general study skills. The Disability Services team is available for advising, consulting, and arranging services and accommodations for students.

The students and prospective students of Hobart and William Smith Colleges are protected from discrimination on the basis of disability in line with Section 504 of the Rehabilitation Act of 1973 as well as the Americans with Disabilities Act (ADA) and other disability law. By such legislation, individuals with disabilities are guaranteed certain protections and rights of access to programs and services. Eligibility is based on the existence of an identified physical or mental impairment or disability that substantially limits a major life activity.

A disability determination, however, should not be based on abstract lists as categories of impairments, as there are varying degrees of impairments as well as varied individuals who suffer from the impairments. In fact, the regulations note that a finding of disability is not necessarily based on the name or diagnosis of the impairment the person has, but rather, on the effect of that impairment on the life of the individual. Some impairments may be disabling for particular individuals but not for others, depending upon the stage of the disease or disorder, the presence of other impairments that combine to make the impairment disabling, or any number of other factors.

This is why a determination of disability must be made on an individualized, case-by-case basis. Whether a substantial limitation upon a major life activity exists, depends upon an analysis of (1) the nature and severity of the impairment, (2) the duration of the impairment, and (3) the permanent or long-term impact of impairment. Thus, the key factor in answering the question of whether there is a substantial limitation is the actual effect on the individual's life.

**A) Mission Statement**

Disability Services in the Center for Teaching and Learning seeks to provide students with disabilities access to Hobart and William Smith educational programs, activities, and facilities. The CTL also offers all students the opportunities that may help them achieve their academic potential. In seeking to meet these commitments, we recognize that students differ in their needs and learning styles. The Center for Teaching and Learning is committed to ensuring equitable participation in the programs and activities of Hobart and William Smith. The goals of Disability Services at HWS are as follows:

- Assist students in the registration and documentation processes; arrange for appropriate, reasonable accommodations and support services to students with documented disabilities.
- Encourage and assist students to develop greater independence.
- Increase faculty and professional staff understanding of the rights and needs of students with disabilities.
- Assist Hobart and William Smith in complying with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA) and subsequent reauthorizations, as well as other relevant disability law.

## B) **Rights and Responsibilities**

### 1) **STUDENTS**

Students with disabilities are entitled to reasonable accommodations according to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and other disability law. These laws protect students from discrimination based on actual or perceived disability. These laws also entitle students with disabilities access to all programs and activities of Hobart and William Smith if they are otherwise qualified to participate. To receive disability related accommodations, students must voluntarily self-disclose their disability, either in writing or in person to the Disability Services team in the Center for Teaching and Learning. They must then complete the registration process with the Office of Disability Services and provide that office appropriate documentation of their disability.

After establishing eligibility for disability related services, students are required to follow established procedures for obtaining reasonable accommodations and services.

Documentation guidelines are available from the CTL and on the HWS website <https://www.hws.edu/centers/ctl/disability-services.aspx>.

### 2) **HOBART AND WILLIAM SMITH**

In order to establish eligibility for disability related services and to provide reasonable and appropriate accommodations, Hobart and William Smith have the obligation to review documentation relevant to establishing a student's disability status and accommodation needs. When documentation is found to support a student's disability status and requested accommodations, it is the responsibility of Hobart and William Smith to provide reasonable accommodations that will not pose an undue financial or administrative burden on Hobart and William Smith.

Hobart and William Smith reserve 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 disability related, functional limitations exhibited by the student, and that accommodations do not substantially alter the core objectives and standards of degree requirements, programs, courses, activities, or standards established by the faculty.

## C) **Application for Services**

Students are not obligated to self-disclose a disability. However, self-disclosure is required in the disability registration and intake processes that are integral in establishing eligibility for disability related services and accommodations.

When students anticipate such needs, they must identify themselves to the Disability Services team in the Center for Teaching and Learning. Submission of the [Intake Form on Accommodate](#) will initiate the registration process. Students who complete the Intake Form with sufficient documentation will be contacted by the Disability Services team in a timely manner to set up an

Intake Meeting.

Students may initiate the process and complete the Intake Form at any point their college career.

**D) Disability Documentation**

Written documentation must be provided by a qualified professional with training and experience relevant to the diagnosed disability. 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 performing manual tasks. Examples of supporting documentation include:

- Individualized Education Program (IAP)
- 504 Plan
- Summary of Performance (SOP)
- Educational/Neuropsychological Evaluation
- Medical documentation
- Doctor's note

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) and Section 504 of the Rehabilitation Act of 1973. Both are civil rights laws which prohibit discrimination based on disability. The provision of services and accommodations are ways in which Hobart and William Smith can assure equal access to a college education 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.

**E) Accommodations and Services**

In order to receive accommodations and special services, it is the responsibility of the student to voluntarily self-disclose their disability and then complete the intake process. It is the responsibility of Hobart and William Smith 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 students, 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 Hobart and William Smith is the purpose of accommodations. Ultimate responsibility for determining reasonable accommodations and services lies with Hobart and William Smith.

Once disability status is established, each student is required to meet with a member of the Disability Services team to determine the services and accommodations that are necessary. Once the initial Intake Meeting is completed, students can request their accommodations digitally via the Accommodate portal each semester. Individualized letters are then prepared for each of the student's professors, outlining the accommodations that are appropriate for that course. These letters are sent on the student's behalf by the Disability Services team.

The student is encouraged to discuss with each professor the details about how accommodations will be handled for each course.

Some accommodations require additional forms and agreements to be signed and uploaded to

Accommodate in order for the accommodation to take effect. Examples of such accommodations include:

- Permission to record lectures
- Consideration accommodations

**F) Temporary Accommodations**

Disability Services provides temporary accommodations to students with temporary medical related needs, such as:

- prolonged illness
- recovery from surgery
- concussion

**G) Procedure for Receiving Non-Academic Accommodations**

Students may require meal plan and/or housing accommodation(s) if their disability limits a daily life function. All Non-academic Accommodation requests are reviewed by a committee once a month. To request accommodations of a non-academic nature such as special housing needs, dietary concerns, or physical accessibility issues, students must complete and submit the appropriate documentation. If this is a first request for an accommodation, students must complete the [Intake Form on Accommodate](#). If this is an additional request to existing accommodations, students must complete a Supplemental Request on [Accommodate](#).

Requests which are supported by the documentation and which are deemed appropriate and reasonable will be granted in as timely a manner as possible. Application deadlines and materials, that fall under the purview of this committee, can be found on the disability services website: <https://www.hws.edu/centers/ctl/disability-services.aspx>. Students may submit a request at any time; however, deadlines for this process are firm. Requests submitted by November 15th will be considered for the following spring semester. Requests submitted by February 15<sup>th</sup> will be considered for the following fall semester.

HWS does not accept additional documentation or application materials on appeal for cases already decided by the committee. New or additional documentation or application materials may be submitted with a new accommodation request by a posted deadline, using the medical and/or disability accommodation process.

**H) Confidentiality**

The Americans with Disabilities Act and the Family Education Rights and Privacy Act (FERPA) established guidelines for confidentiality of all disability-related information. All information provided by the student will be treated as highly confidential, maintained in a separate, secure file with limited access, and only shared when there is a compelling need to know. Need-to-know is specified as the following: when a school official—administrator, supervisor, faculty, or support staff—is expected to take a specific action on the student's behalf.

When a student with a disability request is approved for an accommodation or service, the appropriate person will be notified. Information identifying the specific disability is not shared, only that appropriate documentation has been received, and that the accommodation is necessary to fulfill Hobart and William Smith obligation to provide equal access under ADA and Section 504 of the Rehabilitation Act.

**I) The Right to Review a File**

Students have access to all of their disability-related documentation, requests, and letters on the

Accommodate profile.

**J) Accommodation Disputes and ADA Grievance Procedure**

**1) INFORMAL DISPUTE RESOLUTION PROCESS**

Students may appeal a decision regarding an accommodation or service.

Hobart and William Smith protects the rights of individuals with disabilities to be free from harassment and discrimination and offer reasonable accommodations. Hobart and William Smith 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. If a student feels that they have been subjected to discriminatory actions on the basis of disability, they may file a grievance with Hobart and William Smith 504 coordinator: Tabatha Spinner, Interim Associate Vice President of Human Resources, [spinner@hws.edu](mailto:spinner@hws.edu).

**2) TITLE VII AND IX NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE**

A formal grievance may be initiated following the Title VII and IX Non-Discrimination Policy and Grievance Procedure as published in the Handbook of Community Standards. The informal resolution process is not a prerequisite to the filing of a formal complaint.

**XIII) Plagiarism Defined**

**A) Plagiarism Defined**

- 1) (From the Logic and Rhetoric of Exposition, 3<sup>rd</sup> 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.)

- a "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."
- b All students and faculty members are responsible for familiarizing themselves with Hobart and William Smith regulations and definitions concerning plagiarism and other forms of cheating. Plagiarism is defined as the adoption or reproduction of ideas or words or statements of another person as one's own, without due acknowledgment. Cheating ranges from downright dishonesty to subtler practices which are questionable from the point of view of the value of individual improvement of skills.
- c Any student who has been judged by an instructor to be guilty of plagiarism or cheating as defined above, or of knowingly assisting another student in such an act, will withhold the grade for the course and report the facts to the Dean. All cases of suspected plagiarism or cheating, whether deliberate or seemingly inadvertent, must



be so reported, in order to invoke the hearing procedure, as follows: Any student accused of plagiarism may request a Committee on Standards hearing. Determination of the student's guilt or innocence will be made at this hearing; until that time, the grade for the course will be withheld. At this hearing, the dean, in consultation with the Committee on Standards, will review the case, study the student's complete record, and hear from both the student and the instructor. At the end of the hearing and after consultation with the Committee, the instructor will determine an appropriate grade for the course, but the dean and the Committee on Standards may consider further penalties which may include suspension or separation from Hobart and William Smith. If the student is exonerated, the incident will not be entered in their permanent record, and all communications pertaining to the case will be destroyed. If suspended, the student will not be permitted to take final examinations in any of their courses. It should be noted that normally, guilt or innocence of plagiarism or cheating is determined by the Committee on Standards and the Dean primarily on the basis on the factual evidence submitted by the instructor. A Student's ignorance of what constitutes these offenses or of the rules concerning them is not considered to bear on this question. If a student is judged guilty, circumstances surrounding their action may be taken into consideration in determining appropriate penalties. Students who are found guilty of plagiarism or cheating normally will not be eligible for academic honors or prizes.

# ***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 <https://www.hws.edu/offices/student-accounts/default.aspx> as well as within Hobart and William Smith Course Catalogue.

## **II) FINANCIAL AID**

Hobart and William Smith 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 (<https://www.hws.edu/admissions/tuition-scholarships-and-aid/>) or Hobart and William Smith 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 Hobart and William Smith community. The Library has developed circulation policies that reflect Hobart and William Smith 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 FLH 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 Hobart and William Smith annual health fee. Hobart and William Smith 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, <https://haylor.com/college/hobart-and-william-smith-colleges/>. 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) Hobart and William Smith 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) Hobart and William Smith 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**

Hobart and William Smith 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 greek housing, are required to participate in one of the boarding options offered by Hobart and William Smith dining services (Sodexo). Specific meal plans can be found published on the Dining Services website as well as on myHousing ([housing.hws.edu](http://housing.hws.edu)).

- A) Meal Plan Options
  - 1) SAGA Meals: For use in SAGA only or other designated locations..
  - 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. As an additional value Snack Money is tax exempt.
- 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 Student Engagement Operations, 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 Student Engagement Operations and/or their designee. Final approval for the exemption of any student from a required meal plan rests with the Director of Student Engagement Operations.

## **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 Hobart and William Smith electronic resources from abuse or illegal activity. A compilation of policies, currently in place, can be found here: <https://www.hws.edu/itservices/default.aspx>.

## **VIII) POLICY ON MEDICAL LEAVES OF ABSENCE**

Hobart and William Smith care deeply about the physical and mental health of students. Therefore, health and counseling services are available on campus. Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith must comply with the readmission requirements outlined below, after the medical/psychological condition has been treated and resolved.

B) Involuntary Leaves of Absences

Hobart and William Smith 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 Hobart and William Smith.

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 their academic program and in Hobart and William Smith 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 Hobart and William Smith 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 their health care provider(s). In all circumstances, the student shall have the right to present information from their 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 Hobart and William Smith, 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 Hobart and William Smith 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. Hobart and William Smith 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 Hobart and William Smith resources or staffing capabilities or, with respect to the required level of care or monitoring, that would exceed the standard of care that Hobart and William Smith 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) business 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 Hobart and William Smith policies and regulations, and they do not preclude the removal or dismissal of students from Hobart and William Smith or campus housing as a result of violations of Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith website, <https://www.hws.edu/offices/campus-life/default.aspx> and then clicking Campus Life, then Medical Leave) completed and submitted by the treating physician, psychiatrist or psychologist from home; and
- The student's completed Campus Life General Release of Information form (found on the same website above).

The completed readmission application must be received at Hobart and William Smith 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, Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith, 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 Hobart and William Smith website, <https://www.hws.edu/offices/campus-life/default.aspx> and then navigating to Campus Life, then Medical Leave).

## 3) Readmission Decision

Students who withdraw voluntarily or are withdrawn involuntarily from Hobart and William Smith 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 their academic, emotional and other demands, without putting other HWS community members or their educations in jeopardy. Hobart and William Smith 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 Hobart and William Smith.

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 their 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 Hobart and William Smith community, or (2) disruption or interference with the normal operations of Hobart and William Smith, 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. Hobart and William Smith 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 Hobart and William Smith

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 Hobart and William Smith.

Students who withdraw or are separated from Hobart and William Smith 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 unless otherwise instructed or arranged with the VPCL or their designee. All personal property must be removed from the room. All keys must

be returned to the Student Engagement 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 Hobart and William Smith, (b) maintain vending activity at a controllable level in appropriate locations on campus, and (c) prevent and/or mediate conflict between Hobart and William Smith 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 the Student Engagement Center, 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 Vice Presidents of Campus Life or Communications. No student has power or authority to enter into a verbal or written contract on behalf of Hobart and William Smith or clubs recognized by Hobart and William Smith.
- 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 Hobart and William Smith and may not be used without permission.
  - 3) Individuals vending on campus must be current students or employees of Hobart and William Smith.
  - 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 Hobart and William Smith.
  - 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 Hobart and William Smith 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 Engagement Operations 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 appropriate student conduct body, 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 their 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. Hobart and William Smith do not assume any responsibility for issues related to student or student-sponsored products or vending procedures. Hobart and William Smith assume no responsibility for the standards, quality, or integrity of merchandise sold.

#### **X) USE OF HOBART AND WILLIAM SMITH NAME AND INSIGNIA**

No student organization or individual student of Hobart and William Smith shall use the name of Hobart and/or William Smith College(s) or purport to represent Hobart and William Smith or their students by public performance, publication, intercollegiate or national affiliation, or by participation in activities not strictly intercollegiate without permission from Hobart and William Smith. Authorization must be secured from the Vice President of Communications. Hobart and William Smith Graphic Standards Manual ensures the consistent use of Hobart and William Smith marks in print and electronic media. The Graphic Standards Manual, found at <https://www.hws.edu/offices/communications/brand-standards.aspx>, outlines how members of Hobart and William Smith community may use Hobart and William Smith 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) SOLICITATION AND PROSELYTIZATION POLICY**

In an effort to positively impact the student experience, HWS does not allow marketing, the selling of products, services or campaign materials, or the distribution of printed materials without permission from the Office of Campus Life. This includes, but is not limited to, door to door marketing, distributing materials under student doors, posterizing and tabling in/on any property on campus.

HWS does not permit proselytization of religious beliefs and spiritual traditions. While conversations around beliefs are welcomed, no one is permitted to pressure or harass others to convert to a particular belief or tradition. Printed or electronic material, in person discussions and all communications should never denigrate any person, identity, or group or deprive a person of their inherent worth as a human being. Any person or persons representing an organization or community that wishes to engage the campus community around religious beliefs or spiritual traditions through written or electronic materials, programming, or in person, must have permission from the Office of Spiritual Engagement.

#### **XII) RULES OF CONDUCT FOR DEMONSTRATORS**

##### **A) Overview**

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.

This freedom is upheld provided that such assemblies do not interfere with the operations of the Colleges or impede the ability of community members to access educational or other services, campus buildings, and grounds. This interim policy is in effect for 2024-2025.

B) Definitions

- 1) Demonstration and/or Protest is defined as a gathering of people to express objection, disapproval, or support for a controversial issue or other matters by means of marching, picketing, assembling, or other methods.
- 2) Interfering, Disrupting, or Impeding the Operations of HWS includes any act that hinders the ability of the Colleges to conduct business, administration, and workflow in furtherance of their mission. This also includes any interference with the educational mission of the Colleges, such as disruptions to classes, lectures, ceremonies, speaker events, meetings, or other educational or administrative functions. Additionally, it encompasses any obstruction of the rights or ability of others to access the educational, administrative, recreational, or other functions of the Colleges, impede the freedom of movement on college property, or interfere with campus services or access to buildings and grounds.
- 3) Non-Violent, Non-Disruptive Demonstration/Protest is any demonstration or protest that does not interfere with the operations of HWS as indicated above.
- 4) Non-Violent, Disruptive Demonstration/Protest is one that does interfere with the operations of the Colleges.
- 5) Violent, Disruptive Demonstration/Protest includes any demonstration or protest that involves violent, assaultive, harassing, threatening, or tumultuous behavior, or property damage, in addition to the criteria for a disruptive protest.
- 6) Pre-Planned Speaker Event refers to any planned speaking event where individuals are invited to address the HWS Community, including the President's Forum, Anderton Forum, and Stern Forum. Each pre-planned speaker event is required to have a Lead Event Organizer (LEO), the individual responsible for coordinating an event on HWS property, whether a demonstration/protest or a speaker event.
- 7) High-Profile Speaker is any speaker whose writings, opinions, or positions may be considered provocative and may elicit a significant response from opposing groups or persons, or any speaker who employs a private or government security detail.

C) Pre-Planning

To ensure the safety of our campus community, pre-event planning is required for all known protests, demonstrations, and high-profile speaker events. Students who are hosting any protest, demonstration, and/or high-profile speaker must do so by registering with Student Engagement. Faculty who are hosting any protest, demonstration, and/or high-profile speaker must do so by registering with the Office of Academic and Faculty Affairs and Campus Safety to ensure appropriate safety protocols.

Offices, departments, individual faculty and staff, and students may not serve as "individual fronts" or "proxies" for non-HWS affiliated organizations who may solicit them in order to gain access to or use of HWS spaces to organize or host an event on their behalf, unless there is a clear curricular connection (for example, a book author being invited to speak to campus).

No student may sign a contract on behalf of HWS. All contracts for lectures, performing arts activities, programs, services, or other events sponsored by student organizations must be reviewed by Student Engagement. Any contract for an event must be reviewed and executed by an authorized HWS representative.

In all instances, Campus Safety will participate in the planning process. Campus Safety, or the appropriate HWS official in conjunction with Campus Safety, will reach out to organizers to coordinate and pre-plan the demonstration or protest. Information to be gathered from organizers includes the type of event, date, time, and location, estimated number of participants, planned actions or activities, the extent of publicity beyond the campus community, expected opposition or counter-protests, and contact information for the organizers.

For high-profile speaker events, Campus Safety will coordinate with the LEO to pre-plan the event. Incident Action Plans (IAP) will be completed for all high-profile speaker events and any demonstrations/protests with sufficient pre-notification. These plans will outline monitoring and oversight strategies, communication protocols, venue security measures, life safety considerations, resource requirements, emergency evacuation plans for speakers, and procedures for handling non-violent disruptions.

Campus Safety will also consult with local law enforcement and appropriate NYS intelligence centers to gather information on planned demonstrations or protests. Venues for such events will be searched for suspicious items, weapons, contraband, and hazardous devices at least one hour before the event. Locations will be secured and monitored, and any found items will be reported to the authorities, with the decision to cancel the event made in conjunction with HWS officials and public authorities.

D) General Guidelines

1) Amplified Sound:

Requests for amplified sound on HWS property must be submitted for approval during the space reservation process.

- a Regardless of time of day, amplified sound is not permitted on HWS property during scheduled HWS events (e.g., Convocation), Final Exams, and Reading Days.
- b At all times any noise must be kept at a level that does not disrupt classes in session or faculty, staff, and administrators working in surrounding buildings.
- c If noise resulting from an event in an outdoor space may at times interfere or conflict with library, office, and classroom activities, the continued use of that outdoor space may be denied.
- d All parties must follow the guidelines of the Geneva Noise Ordinance.

2) Posters, Signs, and Banners:

Signage displayed on-campus must be for an approved event and abide by the Community Standards. Should signage be non-compliant, it will be removed.

E) General Procedure

1) Non-Violent, Non-Disruptive Demonstrations/Protests will generally not be obstructed.

Campus Safety and professional staff will ensure the safety of demonstrators and prevent interference.

2) If demonstrators' actions are Non-Violent but Disruptive, the Associate Vice President of Campus Safety or the on-call director will request that they cease disruptive behavior or leave. If disruptions continue, the Vice President for Campus Life or their designee will take further steps, including potential disciplinary actions. Official statements will inform protestors of policy violations, and if necessary, lead to warnings of arrest for trespassing.

3) For Violent, Disruptive Demonstrations/Protests, if circumstances allow, steps for non-violent disruptions will be followed initially. However, the ranking Campus Safety official will request immediate law enforcement response to mitigate injuries and property damage, assess the need for Incident Response Team as necessary. Additional safety measures will be implemented to ensure the campus community's security.

F) Response to Demonstrations/Protests

HWS reserves the right to establish designated locations for demonstrations and protests and to direct participants to these areas as necessary. Demonstrations and protests on HWS property may be recorded or photographed. IAPs will be completed for pre-notified events, and for unscheduled protests or demonstrations, Campus Safety will respond to identify organizers and establish communication.

At the scene of any protest or demonstration, Campus Safety officers and professional staff will monitor for weapons, improvised weapons, concealed identities, and protective gear. Counter-protests will be kept at least 20 feet apart, and signage identifying prohibited items may be posted

as appropriate. Attendance at events may be limited to members of the HWS Community.

G) Prohibited Conduct

Any violation of laws or ordinances, sections of the Colleges' Handbook of Community Standards, non-compliance with official directives, interference with others' rights to assemble express, and acts or threats of violence or intimidation are prohibited.

Encampments or overnight demonstrations are not permitted on-campus.

Indoor demonstrations or protests must not disrupt the Colleges' operations as defined earlier in this policy. Indoor demonstrations or protests within HWS residences are prohibited.

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

The arrangement of Hobart and William Smith 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. Hobart and William Smith 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/permitportal/Login.aspx>). 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. Hobart and William Smith 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 Hobart and William Smith reflect and establish the standards and expectations for all members of Hobart and William Smith in order for these goals to be obtained.

The student conduct process is yet another aspect of the educational and developmental process at Hobart and William Smith. It is intended to instill and reinforce the values and the policies of the community and to further students' knowledge about the standards of Hobart and William Smith 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 Hobart and William Smith community.

Students are not only members of Hobart and William Smith 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 Hobart and William Smith proceedings, as well as Hobart and William Smith 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 Hobart and William Smith Web site and can be viewed at <https://www.hws.edu/offices/campus-safety/default.aspx>.

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) CONDUCT 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 their 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 conduct process. Established time limits and any other aspects of conduct processes or proceedings may be altered at the discretion of the VPCL.

## **IV) JURISDICTION OF HOBART AND WILLIAM SMITH**

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

## **V) DEFINITIONS**

In addition to terms defined elsewhere in this procedural document, the following terms have the meanings set forth below:

- A) The term **Complainant** refers to the person who allegedly experienced conduct in violation of HWS policy.
- B) The term **Reporting Individual** refers to a person who reports alleged misconduct. This may or may not be the same as the Complainant, and may be a witness, a bystander, or someone else with information about the alleged misconduct.
- C) The term **Respondent** refers to the person or organization alleged to have committed misconduct.
- D) The term **Witness** refers to an individual with direct, observational knowledge of a specific complaint.

## VI) REPORTING OPTIONS

Any member of the Hobart and William Smith Colleges community may file a complaint against a student for alleged violation of the Community Standards. Hobart and William Smith may also institute a complaint, with a campus safety incident report or other appropriate documentation serving as the initiating document. Complaints may be formally filed via incident reports with the administration, incident reports with a paraprofessional staff member (i.e. community 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 and directed to the reporting parties below.

Any person who has experienced Prohibited Conduct is encouraged to understand their options and to seek support for their emotional and physical needs and/or to report to HWS for investigation and resolution.

### A) **Confidential Resources:**

A person seeking confidential emotional support or healthcare may contact the following resources. Sharing information with a Confidential Resource listed below) does not constitute a report to Hobart and William Smith and will not result in an investigation or in any remedial or disciplinary action.

Students may contact:

- 1) **Counselors from the Counseling Center**, located at 91 St. Clair St., are available for appointments by calling 315-781-3388 or via email at [counselingcenter@hws.edu](mailto:counselingcenter@hws.edu).
- 2) **Crisis Counselors** are available 24 hours a day by calling 315-781-3388 and choosing option 1.
- 3) **The Dean of Spiritual Engagement**, the Rev. Nita Byrd, and the Director of the Abbe Center for Jewish Life Rabbi Dr. Ann Landowne are available for support. Please contact their office at 315-781-4637 or via email at [landowne@hws.edu](mailto:landowne@hws.edu) or [byrd@hws.edu](mailto:byrd@hws.edu).

### B) **Reporting Parties**

Because Confidential Resources are there to support emotional, physical and spiritual needs and not to serve as part of Hobart and William Smith disciplinary process, any person who desires for Hobart and William Smith to take investigatory/disciplinary action must make a report to any of the Reporting Parties, listed below:

- 1) The Title IX Coordinator, the Deputy Title IX Coordinators, and all other Title IX office staff;
- 2) The Office of Campus Life, including
  - a Vice President for Campus Life;
  - b Associate Vice President for Campus Life and Dean of Student Wellness and Support
  - c Director of Community Values and Conflict Resolution
- 3) Campus Safety
- 4) Student Engagement Center professional and student staff;
- 5) Hobart and William Smith Deans;
- 6) Human Resources professional staff; and
- 7) the Provost of Hobart and William Smith,
- 8) the Vice President for Diversity, Equity, and Inclusion.



9) Online Reporting Options

You may also use one of Colleges' online reporting forms. The forms provide the option for you to report anonymously or non-anonymously. Providing anonymous information may help Hobart and William Smith maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or person; and alert the campus community to potential dangers when appropriate. Depending on the amount of information available in the anonymous report, however, Hobart and William Smith ability to respond with an investigation or disciplinary action may be limited.

**VII) INTERIM MEASURES**

Initial or interim measures may be implemented in appropriate circumstances. The Vice President for Campus Life or their designee will determine such remedies as are necessary to protect the safety or well-being of any member(s) of the campus community. Initial or interim measures are intended to address the immediate and ongoing effects of Prohibited Conduct, or to prevent further harm to the alleged complainant and to prevent further violations.

These remedies may include:

- 1) referral to counseling and health services,
- 2) education to the community,
- 3) altering the housing situation of one or more of the involved students,
- 4) altering work arrangements for student employees,
- 5) providing campus escorts,
- 6) implementing contact limitations (such as no contact and active avoidance orders) between the parties,
- 7) recommending adjustments to academic deadlines to faculty,
- 8) adjusting course schedules and registration, etc.
- 9) In circumstances where the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on campus of the Respondent or the ongoing activity of a student organization whose behavior is in question, Hobart and William Smith may, for the interim, suspend a student or organization pending completion of the investigation and procedures.

Interim measures may be appealed based on the appeal process listed in Hobart and William Smith Community Standards.

**VIII) INVESTIGATION**

In cases where a report appears to allege a violation of Hobart and William Smith Community Standards, Campus Safety will participate in a fact-finding investigation. Hobart and William Smith reserve the right to consult with legal counsel throughout the complaint resolution process, and to utilize external investigators and/or adjudicators if warranted in the discretion of the Vice President for Campus Life. An initial report of alleged behavior may begin the Conduct Process.

**IX) RESOLUTION**

Once an investigation is completed, the investigator(s) will share reports with the Vice President for Campus Life or their designee, typically the Director of Community Values and Conflict Resolution. If it is determined that the alleged incident is more properly handled pursuant to another of Hobart and William Smith policies or procedures, such as the Title IX, Discrimination, and Harassment Policy, the VPCL will direct the matter to the appropriate procedure or personnel.

If it is determined that the Office of Campus Life will address the alleged incident through the Student Conduct Process, an informal or formal resolution process will begin.

A) Informal Resolution

## 1) Informal Resolution Process

An informal resolution process typically is used when an alleged violation of the Community Standards includes two parties (one complainant and one respondent). It is a voluntary process in which a trained facilitator assists the parties in resolving the allegations made by a Complainant. An informal resolution prioritizes educational and conciliatory approaches over more adversarial contestation of the facts. One objective of the informal resolution is to provide to the parties an opportunity to learn and understand each other's concerns and address them as collaboratively and usefully for the parties as possible, with the assistance of the facilitator.

The intent of an informal resolution process is for the parties to undertake a facilitated dialogue regarding the matters at issue related to the allegations to see if they can reach agreement on a resolution that leaves both parties feeling satisfied with that resolution.

The informal resolution process is not available in a complaint involving more than two parties unless (a) all parties voluntarily consent to use the informal resolution process, (b) there is an understanding among all parties about what happens when the right of any party to stop the informal resolution process and commence (or return to) the formal investigation and resolution process is invoked, and (c) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution. No party should feel intimidated, coerced or threatened to participate in an informal resolution process, and the Vice President for Campus Life will not authorize use of the informal resolution process where there is a reason to believe that a party's consent to use the process is not truly voluntary or there is a wider impact to Hobart and William Smith community.

The informal resolution process may also be used if the Respondent wishes to accept responsibility for all or part of the alleged policy violations. If the Respondent indicates an intent to accept responsibility for all or part of the alleged misconduct, the formal investigation and adjudication process will be paused, and the Vice President for Campus Life or their designee will determine whether informal resolution can be used according to the criteria above. If so, the informal resolution process will be used to determine whether all parties and Hobart and William Smith are able to agree on sanctions and/or remedies. This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution.

Supportive, initial, and/or interim measures are available to both parties in the same manner as they would be if the complaint were proceeding under the formal investigation and resolution process.

## 2) Steps Prior to the Informal Resolution Process

The Vice President for Campus Life or their designee will offer the informal resolution process to the parties after a complaint is filed by a Complainant if the VPCL believes informal resolution may be appropriate. Both parties must consent to use the informal resolution process. Either party in an informal resolution process may terminate it at any time and the complaint will proceed (or return) to the formal investigation and resolution process. In some instances, as detailed below, the facilitator in the informal resolution process may terminate the process as well.

If both parties consent to participate in the informal resolution process, Hobart and William Smith will assign a facilitator who will act in an independent, impartial manner to facilitate a resolution between the parties. The facilitator will be trained on how to perform the role. The facilitator will also be screened to ensure that such person is free from conflicts of interest and bias.

3) How the Process Works – General

The process may deviate based on the needs of all parties and Hobart and William Smith. In general, the facilitator will schedule one or more meetings with the parties. The facilitator will assist the parties in communicating information and opinions to the facilitator and each other regarding the allegations in an effort to find common ground and a resolution of the allegations that is satisfactory to all parties. The facilitator may meet separately with each party to explore the party's views about the allegations and desired outcome from the process.

Informal resolution may be appropriate if the parties are willing to openly exchange views and reach a resolution acceptable to both parties. The parties to this process should have a clear understanding of the allegations in the complaint and the issues that are in dispute since the investigation phase of the formal investigation and resolution process will not occur (or resume) if an informal resolution is reached.

4) Role of the Facilitator

The facilitator's role is to conduct the informal resolution process in a way that is impartial and does not favor one party over the other. If the facilitator believes at any point in the informal resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, the facilitator will discuss the matter in confidence with the Vice President for Campus Life or their designee, and either another facilitator will be appointed or Hobart and William Smith will require that the informal resolution process be canceled and the complaint will be addressed through the formal investigation and resolution process.

5) Confidentiality

For the informal resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from both parties during the informal resolution process will be kept confidential by the facilitator, but the facilitator may share information with others to ensure the process in accordance with this procedural document.

In addition, the facilitator will not be available as a witness in any hearing that may occur should either party or Hobart and William Smith terminate the informal resolution process before a resolution. This is in keeping with the concept that the facilitator is impartial and is only facilitating the interaction between the two parties and the restorative nature of the process.

6) Support Persons During Informal Resolution Process

Each party may have a support person accompanying them to any informal resolution meeting. A support person is someone who provides support to a party during the informal resolution process. This role should be distinguished from the role of an advisor under the formal investigation and resolution process of this procedural document. For instance, the support person will not be permitted to question the other party.

A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the informal resolution process. A support person should be someone with whom the party feels comfortable. A party may need to tell their support person sensitive things related to the facts and circumstances surrounding the allegations. The support person may be a friend or relative or any other person the party trusts.

A support person cannot be someone who has been involved in the facts and circumstances in the allegations in any way. In addition, the other party and the facilitator must agree to the

support person attending. The facilitator can also exclude a support person if their presence is disruptive during the informal resolution process.

A party must let the facilitator know in advance if they would like a support person to attend any informal resolution meeting and the name of the support person and that person's relationship to the party. The facilitator will check with the other party to confirm that such party agrees to continue with the informal resolution with the support person present.

Support can be provided in several ways. Support people do not necessarily have to be present in an informal resolution session. Support people can be available to offer support in a nearby area and the facilitator can schedule breaks so that a party can talk with their support person outside the meeting. The support person can attend the informal resolution meeting but may not participate or speak during it. The support person can ask for a break if the person wishes to confer with the party.

#### 7) Possible Outcomes of the Process

A resolution is reached only if both parties agree and if the resolution is accepted by the Vice President for Campus Life or their designee. The facilitator will not impose an outcome, although they may assist the parties in suggesting resolutions that appear to meet the parties' needs. If there is no agreement on a resolution, the complaint will proceed (or be returned) to the formal investigation and resolution process outlined in this procedural document.

Hobart and William Smith imposes no restrictions on the possible outcomes reflected in a resolution so that the parties are free to fashion a resolution that meets their needs, subject to acceptance by the Office of Campus Life. A resolution may include sanctions, up to and including permanent separation, if the parties agree.

The facilitator will draft an Informal Resolution Agreement Form, reflecting the agreement between the parties that becomes final once it is signed by all parties and accepted by the Vice President for Campus Life or their designee. This written and signed resolution agreement indicates that the complaint has been resolved under this process without the need to pursue the formal investigation and resolution process.

After a written resolution has been finalized, Hobart and William Smith will keep a record of the parties' written consent to the informal resolution process and the written resolution. Results of complaints resolved by informal resolution are not appealable under this process.

#### 8) What Happens if the Informal Resolution Process Does Not Result in an Agreed-Upon Resolution

Once a complaint has been filed, the informal resolution process should proceed with due promptness. Hobart and William Smith imposes no specified timeframe for the process but the facilitator may choose to terminate the informal resolution process (and either party may elect to terminate the process) if insufficient progress is being made.

If an informal resolution process does not result in an agreed-upon resolution, investigation of the allegations in the complaint will commence (or resume) and the formal investigation and resolution process will proceed from there.

#### B) Formal Resolution

In any cases that are not appropriate for informal resolution, the Vice President for Campus Life will initiate a formal resolution. 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. The formal resolution process is intended to provide a

respondent an opportunity to respond to allegations of violations of the Community Standards, thereby enabling the administrative review officer(s) 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.

1) General Guidelines for Conduct Hearings and Reviews

These are the general guidelines for all hearing or review bodies:

- a Although there is no statute of limitations in matters involving any alleged violation of Community Standards, a review or hearing is normally conducted in a timely fashion, as close to the date of the alleged violation as possible.
- b Proceedings of all review meetings and hearings are confidential. Conduct officers and members of a hearing panel and the student(s) involved may not discuss statements or evidence with any person not on the board or not directly involved in the case.
- c Legal counsel, parents, or family members may not be present at the review or hearing.
- d In a Committee on Standards hearing, the complainant and the respondent have the right to be present to hear all statements. In an Administrative Review Panel, the determination of participation is made by the assigned review officer(s).
- e The standard of proof in all conduct cases shall be a preponderance of the evidence.
- f Students shall generally be given the opportunity to present relevant information and witnesses on their behalf. All statements and evidence presented is at the discretion of the review or hearing officer and/or the chair of the hearing panel.
- g Records of a hearing will be maintained:
  - (i) The proceedings of a Committee on Standards hearing or administrative review panel will be electronically recorded by the Office of Campus Life. The electronic recording 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. The recording can also be utilized by the hearing or review panel during deliberations to revisit statements made during the meeting.
  - (ii) In other administrative meetings, written records will be maintained by the conduct officer and notes or summary will be inputted, when deemed necessary, into Hobart and William Smith conduct system. An electronic recording may occur at the sole discretion of the review/hearing officer(s) who will notify the parties involved whether a recording is occurring.
  - (iii) The electronic recording by the hearing/conduct review officer will be the only permitted electronic recording.
- h Students accused of violating Colleges' policy and whose cases are referred for hearing by the Committee on Standards or other review committee shall generally have a pre-meeting conference with the Vice President for Campus Life or their designee.
- i 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).
- j As Hobart and William Smith determine whether a student is in violation of any of Hobart and William Smith policies, using the appropriate evidence and conduct history of the student in totality, and based on the severity of the violation, the conduct officer, committee, or panel also may apply any sanction (listed in the Sanction section of this document) to any violation.
- k 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.

2) Administrative Review through the Vice President for Campus Life or designee

Ultimate responsibility for the maintenance of campus conduct rests with the administration and trustees. Accordingly, notwithstanding any provisions of the student constitutions or bylaws, Hobart and William Smith reserve the right to discipline, place on probation, suspend, or separate any student whose conduct or academic standing is unsatisfactory, without prior hearings before any hearing or review body, or 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 Hobart and William Smith student conduct system. Reviews and/or hearings may be conducted by the Vice President for Campus Life and/or their designee. For an administrative review, the conduct officer shall make a determination of responsibility for the alleged violation and, if appropriate, may impose sanctions after reviewing all of the information available at the time of the meeting for the incident.

- 3) Hobart and William Smith Administrative Review Panel

The VPCL may determine that an administrative review is best served by assigning a panel of trained conduct officers to review the case and determine the formal resolution. As part of the educational process for addressing student misconduct, Hobart and William Smith Colleges have a mid-level student conduct panel known as the Administrative Review Panel (ARP). In adjudicating individual cases, the ARP seeks to promote community responsibility and assist students in being positive contributors to the HWS community. Although other types of cases may be referred to the panel by the Vice President for Campus Life or designees' discretion, the panel will typically adjudicate mid-level policy violations that do not rise to the level of the Committee on Standards but would still benefit from a body of persons rendering a decision.

  - a Administrative Review Panel Membership
    - (i) The ARP is comprised of a pool of staff members and students trained to adjudicate student conduct meetings. When called three of these members (two staff members and one student) serve as the decision-makers for that review.
    - (ii) The ARP also includes a facilitator to run the process. The facilitator's role is to call panel members to serve, schedule the meeting and provide all communication to the student alleged to have violated campus policy. The facilitator role will be filled by the Director of Community Standards and Conflict Resolution, or their designee.
  - b Chairperson
    - (i) A chairperson will be selected out of the three individuals serving for each ARP to serve as the administrator in charge of each review. The chairperson will be the party primarily responsible for facilitating the review process.
    - (ii) If the individuals called are unable to serve as the chairperson, the facilitator may fill the role of chairperson provided there is an additional decision-maker selected for the panel.
  - c Procedures
    - (i) As with any other administrative review meeting, students who have allegedly violated the Community Standards shall receive an electronic invitation to meet.
    - (ii) Prior to the scheduled conduct review, the student alleged to have violated the Community Standards will meet with the process facilitator for a pre-meeting review to discuss what is to be expected during the process.
    - (iii) If the alleged would like to call witnesses or request a Conduct Process Advisor, they may make a request for those at this meeting.
    - (iv) During the meeting, students involved in an incident have the opportunity to discuss items relevant to the specific incident and ask questions of any witnesses present. The panel members also are permitted to ask questions of any individuals participating in the ARP process.
    - (v) Panel members will decide if there has been a violation of the Community Standards based on group consensus and will communicate the decision and what sanctions are being applied (if applicable).
    - (vi) In every case, the individuals involved shall be notified of the hearing outcome within approximately 5 business days of the hearing.

- (vii) Appeals to the decisions set forth by the APR follow the same procedures as appeals to any decision made by any other conduct body, which are set forth in Appeals section of the Community Standards.

4) 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 Vice President of Campus Life 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 Hobart and William Smith 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 Hobart and William Smith 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.

a Procedures for Violations of Academic Integrity

Typically, any instructor who suspects a student of any violation of the principle of academic integrity defined previously, or is suspected of assisting another student in such an act, will contact the student's dean. The instructor will be briefed on the various ways in which the matter can be adjudicated, including a formal hearing by the Committee on Standards, a Committee on Standards sanctioned academic misconduct mediation process, or by an internal review of the course instructor. The dean will facilitate the formal adjudication process by gathering documentation, meeting with students and course instructors, and if needed, coordinating a Committee hearing. A hearing can be requested by either the course instructor or the student, at which time it will be determined whether a violation occurred and any resulting 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 Committee may only make recommendations to the course instructor concerning sanctions pertaining to grading.

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 Hobart and William Smith 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.

b) **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 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) 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 Hobart and William Smith 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, if applicable, any sanctions. In reaching a final decision regarding sanctions, the student's complete record while at Hobart and William Smith will be considered. The Committee will inform the student of its decision and recommendation at the close of the hearing.

C) **Sanctions**

Some cases may require a variety of disciplinary actions. Hobart and William Smith 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) **Restorative Justice Process**

Restorative justice is the process of having facilitated dialogues to work at repairing any harm created during a violation. If both parties agree to the conversations, this may be used as an outcome instead of more traditional conduct outcomes.

2) **Verbal Warning**

This is a verbal notification that a student's behavior is in violation of Colleges' policy as a result of a minor conduct violation.

3) **Written Warning**

This is written notification that a student's behavior is in violation of Colleges' policy.

4) **Restitution**

A student may be held financially responsible for damages they are found responsible to have caused.

5) **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.



- 6) **Revoking Privileges**  
This may include the forfeit of housing lottery privileges, or excluding the student from participating in certain activities, clubs or organizations.
  - 7) **Deferred Residential Re-assignment**  
Deferred residential re-assignment 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 Hobart and William Smith policy is confirmed, residential re-assignment is the next step. A deferred residential re-assignment is issued for a stated period of time.
  - 8) **Residential Re-assignment**  
Requiring the student to relocate elsewhere on-campus (to be determined solely by the Student Engagement 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.
  - 9) **Social 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 including but not limited to restrictions to Study Abroad and Student Leadership positions.
  - 10) **Fines**  
The student may be assessed a fine as a penalty for the inappropriate behavior.
  - 11) **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 Hobart and William Smith policy is confirmed the required withdrawal from Hobart and William Smith is the next step. A deferred suspension is issued for a stated period of time and includes specific restrictions on the student.
  - 12) **Required Withdrawal/Suspension**  
Required withdrawal removes the student from Hobart and William Smith for a stated period of time. This may include prohibiting the student from attending classes, social events, or other functions, being employed by Hobart and William Smith, 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 Hobart and William Smith 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 Student Engagement Office.
- 13) **Permanent Separation**  
In the case of a permanent separation, the student is required to leave Hobart and William Smith and is not eligible for reinstatement. The student is not permitted to visit Hobart and William Smith grounds.
  - 14) **Degree Revocation**  
Revocation of any degree conferred by the College.

D) **Hobart and William Smith Conduct 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 Hobart and William Smith 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 Alcohol and Other Drugs Prevention resources and/or the Counseling Center, might be necessary. In addition, some incidents may call for more traditional conduct 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.

Hobart and William Smith 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 their designees. In general, this may include the Hobart and William Smith administrative review officers or panels, student engagement staff members, Director of Community Values and Conflict Resolution, - 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. At times, this may also include a referral to Hobart and William Smith Peer Mentor program or an external adjudicator. 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, including Fraternity/Sororities, clubs, club sports, and other organizations that violate the Policy on Alcohol and Other Drugs face the possibility of being assigned educational assignments, community service, or organization suspension.

2) Disciplinary sanctions and responses

In addition to disciplinary sanctions which may be imposed, Hobart and William Smith 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:

- Alcohol and Other Drugs seminars
- Online education
- Impact Feedback Program
- One-on-One Assessment
- 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 or a medical leave of absence.</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>• Restriction from operating any vehicle of Hobart and William Smith</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>
<b>Has been found previously responsible for three or more AOD violations.</b>	Depending on severity of the incident, may include an educational sanction and: <ul style="list-style-type: none"> <li>• Deferred suspension</li> <li>• Suspension</li> <li>• Permanent separation</li> </ul>
<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 themselves, or others.</b>	<ul style="list-style-type: none"> <li>• Hobart and William Smith 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 conduct 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. Hobart and William Smith reserve the right to assign any sanction to any violation.***

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

#### E) Records

All disciplinary records will be maintained in Hobart and William Smith conduct 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.

#### F) Transcript Notation Policy for Crimes of Violence

##### 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.

#### Further Appeals

A student whose transcript states "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" may appeal, by submitting an appeal, in writing, to the Vice President for Campus Life and/or their designee to have the notation removed. The Vice President for Campus Life and/or their designee shall forward the appeal panel consisting of the Vice President of Campus Life (or their designee), the Provost (or their designees), and the Director of Human Resources (or their designee). 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.

#### 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.

#### G) Appeals

A student may appeal the outcome of an academic or conduct hearing, or an administrative review when sanctions range from probation through permanent separation and/or if they include residential reassignment or monetary penalty. An appeal must be submitted by the student, in writing, with relevant documentation, within the time stipulated by the hearing officer, board hearing the case, or administrative review officer/panel 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 hearing or review will be evaluated by the Vice President of Campus Life or their designee. 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 or the Dean of William Smith College. The deans will consult and recommendations for appeal will rest with the student's dean. For academic appeals, the dean may refer the case back to the Committee on Standards.

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 review, or revise the outcome. 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.

H) 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 Hobart and William Smith.
- 2) During the interim suspension, a student may be denied access to Hobart and William Smith 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 Hobart and William Smith. An appeal must be submitted within five (5) business days in writing to the Vice President for Campus Life via the Student Conduct Appeal form on the Campus Life website (<https://cm.maxient.com/reporting.php?HWSColleges>). 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 jud.

I) No Contact Order or Active Avoidance Directive

A "No-Contact Order" is an active avoidance 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. Hobart and William Smith 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 Hobart and William Smith. 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, Campus Life administrators, or other express designees; in instances that may fall under the Title IX, Discrimination, and Harassment, "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 Student Engagement 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 Campus Life Office 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 Campus Life Office. 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 Hobart and William Smith, 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 (<https://cm.maxient.com/reporting.php?HWSColleges>) and click Student Conduct Appeal.

J) Withdrawal and Readmission

If a respondent voluntarily withdraws from Hobart and William Smith while a complaint is under investigation for prohibited conduct, when the Respondent chooses to withdraw from Hobart and William Smith prior to the conclusion of the formal conduct 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 Hobart and William Smith Transcript Notation Policy for more information). Should the student re-apply for admission to Hobart and William Smith, the conduct 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.

K) Abuse of the Conduct 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 conduct proceeding.
- d Knowingly instituting a complaint that another member of Hobart and William Smith 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 conduct system.
- f Attempting to prevent an individual's proper participation in, or use of the conduct system.
- g Attempting to influence the impartiality of a member of a hearing panel or of a administrative review officer prior to, and/or during the course of, the conduct proceeding.
- h Inappropriate behavior or conduct and/or intimidation of any person involved in a conduct proceeding prior to, during, and/or after that conduct proceeding.
- i Failure to comply with a sanction imposed under the Community Standards.

L) HWS Forward

HWS Forward is a program in which students with low-level and infrequent conduct violations may have their conduct record become non-reportable to agencies external to HWS. To qualify, students must be one year removed from their most recent conduct finding of responsibility, have completed any outstanding conduct sanctions, and complete an additional educational assignment with the Director of Community Values and Conflict Resolution and/or their designee. For more information, contact the Office of Campus Life

M) New York State Education Law 129-A Compliance

1) Advisory Committee on Campus Safety

- a Hobart and William Smith annually appoint an Advisory Committee on Campus Safety that complies with New York State Education Law 129-A §6431 and is comprised of at least six members that are 1/2 female, 1/3 students from a list by student government, 1/3 faculty from a list from faculty governance, and 1/3 appointed by the President or Chief Administrative Officer.

- b The Advisory Committee on Campus Safety reviews current security policies and procedures at Hobart and William Smith and makes recommendations for improvement. It specifically reviews: campus education regarding sexual assault, domestic violence, stalking, bias, and hate crimes; personal safety and crime prevention; reporting of sexual assault, domestic violence, stalking, hate crimes, and assisting victims during investigations; referrals to appropriate authorities; counseling victims; and responding to inquiries from concerned persons. A report of the Committee's finding is made available each academic year to the President. The report is available upon request by e-mailing [titelx@hws.edu](mailto:titelx@hws.edu).
- 2) Investigation of Violent Felony Offense
  - a Hobart and William Smith have adopted and implemented a plan for investigating any reported hate crimes or violent felonies that occur at or on the grounds of the institution and for addressing reports of missing students that include coordination with local law enforcement. Hobart and William Smith have written agreements with applicable local law enforcement regarding prompt investigation and requirement for notification when such incidents are reported. Hobart and William Smith policy provides that individuals reporting sexual assault are informed promptly upon reporting of the options of notifying local law enforcement, right to report or not to report to local law enforcement, and are offered assistance by campus authorities to notify law enforcement if they so chose. See Hobart and William Smith Title IX, Discrimination, and Harassment (<https://www.hws.edu/offices/pdf/smp.pdf>) for further information.
- 3) Bias Related Crime Prevention Information
  - a Hobart and William Smith provide training to incoming students during Orientation about bias related and hate crime prevention measures and programming at Hobart and William Smith. This training includes applicable laws, penalties, procedures for addressing bias related crime, the availability of counseling and support services, the nature of and common circumstances relating to bias related and hate crimes, and methods used to advise and update students on security procedures. More information is available at the Office of Campus Safety's website (<https://www.hws.edu/offices/campus-safety/default.aspx>). Students may report bias related and hate crimes to Campus Safety or following the Bias Incident Intervention Response Team (<https://www.hws.edu/about/dei/birt-protocol.aspx>).

#### N) 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 Hobart and William Smith 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. Hobart and William Smith 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 Hobart and William Smith and its students is, in and of itself, grounds for possible disciplinary action.

## II) RULES & REGULATIONS

- A) **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 conduct proceeding.
  - 4) Knowingly instituting a complaint that another member of Hobart and William Smith 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 conduct system.
  - 6) Attempting to prevent an individual's proper participation in, or use of the conduct 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 conduct proceeding.
  - 8) Inappropriate behavior or conduct and/or intimidation of any person involved in a conduct proceeding prior to, during, and/or after that conduct proceeding.
  - 9) Failure to comply with a sanction imposed under the Community Standards.
- B) **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 Hobart and William Smith premises.
- C) **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);
- D) **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 Hobart and William Smith property must be leashed at all times. Pets may not be tied to trees, bike racks, signposts, or other physical components of Hobart and William Smith. 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, Hobart and William Smith 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.



- 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 Hobart and William Smith; (ii) creating a threatening or intimidating environment; or (iii) substantially disrupting the orderly operation of Hobart and William Smith.
- F) **Damage to Property/Vandalism**: All members of the community must respect the physical plant of Hobart and William Smith. 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 Hobart and William Smith as a result of that hazard.
- G) **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. Hobart and William Smith 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
- H) **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.
- I) **Failure to Comply**: Failure to comply with the reasonable direction of a member of Hobart and William Smith community or emergency or service personnel who are acting in performance of official duties, failure to complete a conduct sanction, failure to comply with other published policies, failure to identify oneself to these persons when requested to do so, and/or the failure to comply with published health emergency directives.
- J) **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.
- K) **Gambling**: Engaging in illegal gambling activities is prohibited.
- L) **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.
- M) **Harassment**: Any threat of use of violence, intimidation, either verbal or physical, against others, is strictly prohibited.
- N) **Hazing**: 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. Additional information about the HWS Hazing Policy can be found in the Clubs, Organizations, and Greek Life section of this document.
- O) **Interpersonal Violence/Physical Assault**: Physical abuse and/or other conduct which threatens or endangers the health, well-being or safety of any person.
- P) **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 conduct 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 Title IX, Discrimination, and Harassment Policy.

- Q) **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 Hobart and William Smith and its students is, in and of itself, grounds for possible disciplinary action.
- R) **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, Health and Safety, COVID-19 specific policies, Housing and Dining Contract, Parking and Traffic Policies and Regulations, and the College Catalogue.
- S) **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.
- T) **Sexual Misconduct:** As stated in the Title IX, Discrimination, and Harassment 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 Title IX, Discrimination, and Harassment 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 Student Engagement 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.
- U) **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.
- V) **Stalking:** Hobart and William Smith 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.  
Such behaviors include, but are not limited to: phone calls, text, and voice messages; following to residence hall, class, work, or other daily activities; sending letters, emails, or gifts; contacting via any social media; making false online profiles; taking pictures of a 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 Title IX, Discrimination, and Harassment Policy.
- W) **Tampering** with or falsely activating fire safety devices, as described in Residential Policies.
- X) **Theft:** Attempted or actual theft of, or unauthorized possession or use of, property of Hobart and William Smith, property of a member of Hobart and William Smith community or other personal or public property.
- Y) **Unauthorized Entry:** Unauthorized entry to or use of Colleges' property.
- Z) **Unauthorized Possession of Keys/Cards:** Unauthorized possession of, duplication of or use of keys, lock combinations, or identification cards to any Colleges' premises
- AA) **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, greek housing, 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.

# ***Non-Discrimination & Anti-Harassment Policy***

## **I) 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 age, color, disability, domestic violence victim status, gender, gender expression, gender identity, genetic information, national origin, race, shared ancestry, religion, sex, sexual orientation, pregnancy, veteran status, or any other status protected under the law.

Discrimination on the basis of sex includes sexual harassment, sexual violence, sexual assault, other forms of sexual misconduct including stalking and intimate partner violence, and gender-based harassment that does not involve conduct of a sexual nature, as defined in Hobart and William Smith Title IX, Discrimination, and Harassment Policy.

## **II) PROHIBITED CONDUCT**

### **A) Prohibited Discrimination**

Prohibited discrimination is adverse treatment of any student based on actual or perceived race, color, religion, creed, age, national origin, ethnicity, shared ancestry or ethnic characteristic, disability, veteran or military status, marital status, pregnancy, citizenship status, or genetic information rather than on the basis of the student's individual merit. Prohibited discrimination also includes any conduct that constitutes illegal discrimination under the law of the jurisdiction in which the conduct occurs.

### **B) Prohibited Harassment**

Prohibited harassment is unwelcome verbal or physical conduct based on actual or perceived race, color, religion, creed, age, national origin, ethnicity, shared ancestry or ethnic characteristic, disability, veteran or military status, marital status, pregnancy, citizenship status, or genetic information that, from the viewpoint of a reasonable person under all the relevant circumstances, would create an intimidating, hostile, or offensive academic or residential environment or otherwise adversely affect the individual's academic opportunities or participation in any HWS program, activity, or benefit. Prohibited harassment also includes any conduct that constitutes illegal discrimination under the law of the jurisdiction in which the conduct occurs.

### **C) Retaliation**

Retaliation means any adverse action taken against an individual for making a good faith report of a violation of this policy or participating in any investigation or proceeding under this policy. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy.

## **III) REPORTING, INVESTIGATION, and RESOLUTION PROCEDURES**

Acts of prohibited discrimination and prohibited harassment against an HWS student violate this policy.

Retaliation is also a separate violation of this policy. HWS is committed to addressing allegations of prohibited discrimination, prohibited harassment, and retaliation promptly, in accord with its investigative procedures, and will take action necessary to ameliorate such prohibited discrimination, prohibited harassment, and retaliation, including by taking disciplinary measures, as necessary.

Students should refer to the Title IX, Discrimination, and Harassment policy for confidential resources, reporting resources and potential resolution procedures.

# ***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 Hobart and William Smith alcohol and drug policy. Students and employees who violate federal, state or local laws or policies of Hobart and William Smith 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 Hobart and William Smith 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, Hobart and William Smith 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. Hobart and William Smith 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 Student Engagement 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) HOBART AND WILLIAM SMITH MEDICAL AMNESTY POLICY**

The health and safety of every HWS student is of the utmost importance. Hobart and William Smith 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. Hobart and William Smith 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 or organization) seeks assistance for another student and individuals (or group), the student who needs assistance and individuals seeking assistance (for themselves or others) will not be subject to Hobart and William Smith disciplinary actions for violations of alcohol and/or drug use policies based on ingestion occurring at or near the time of the incident. The Director of Community Values and Conflict Resolution or their designee 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 Director of Community Values and Conflict Resolution 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 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 Hobart and William Smith Amnesty Policy in the Title IX, Discrimination, and Harassment 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: Hobart and William Smith 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.

Hobart and William Smith are sharing this information to encourage responsible choices among the members of Hobart and William Smith community, with the intention to encourage and support good judgment in the legal use of alcohol for those who choose to use it. Hobart and William Smith 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 Hobart and William Smith 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) **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.
- 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 Hobart and William Smith 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) **Coercion:** Coercing individuals to drink alcohol or use other drugs is prohibited.
- D) **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 Colleges' officials.
- E) **Open Containers:** Possession of open containers of alcohol 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 Hobart and William Smith is prohibited.
- F) **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.
- G) **Providing Alcohol to Underage Individuals:** Providing alcoholic beverages to any person who is under 21 years of age is prohibited.
- H) **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.
- I) **Underage Possession or Consumption:** The possession or consumption of alcohol by any student under the age of 21 is prohibited.

J) **Other Alcohol Regulations:**

- 1) **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, or Hirshon, 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.
- 2) **Alcohol Moderation:** Hobart and William Smith reserve the ability to limit the amount of alcohol an individual or group may possess as follows:
  - a **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, hard cider or hard seltzer,
    - OR two (2) one-liter bottles of wine,
    - OR a reasonable combination of these types.
  - b **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
- 3) **False Identification:** Possession of a fictitious ID, fraudulent ID or another person's driver's license is prohibited.
- 4) **Hard Liquor:** Possession of hard liquor is prohibited, regardless of age of the student, in Hobart and William Smith residences. Generally, this excludes beer, malt beverages, wine, champagne, hard cider, hard seltzer and mixes.
- 5) **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.
- 6) **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.);
- 7) **Paraphernalia:** Possession of alcohol-related paraphernalia (funnels, bars, etc.) 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**

Hobart and William Smith prohibit and will hold students accountable for the following behaviors:

- A) **Distributing illegal drugs** to include the sharing of illegal drugs or other controlled substances (including legal, prescription drugs), or the possession of items typically perceived by a reasonable person to be utilized for distribution.
- B) **Distribution of marijuana** to include the selling and sharing of marijuana, or the possession of items typically perceived by a reasonable person to be utilized for distribution.
- C) **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
- D) **Possession of marijuana/cannabis paraphernalia and/or other drug paraphernalia**
  - 1) Any paraphernalia that is confiscated is subject to being destroyed per the Drug Free Schools and Communities Act.
- E) **Possession or use of marijuana/cannabis** is prohibited on campus under Title IV of the Higher Education Act of 1965
- F) **Selling illegal drugs** (including, but not limited to, marijuana/cannabis) or other controlled substances (legal, prescription drugs).
- G) **Use or possession of illegal drugs** other than marijuana/cannabis

## 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 Hobart and William Smith Alcohol and Other Drugs policies is subject both to Hobart and William Smith 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>.

### 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, 222 and 178) define a wide range of offenses and penalties for possessing, manufacturing or distributing cannabis and other controlled substances as well as the use of drug paraphernalia and possession of precursors of controlled substances. Sanctions include fines and imprisonment ranging from several months to life.

The State of New York Penal Law, Article 221 – Offense Involving Marihuana, was repealed effective March 31, 2021 and replaced with Article 222 – Cannabis. The repeal of Article 221 made the possession, use and transferring of up to 3 ounces of cannabis and up to 24 grams of concentrated cannabis legal for **persons 21 years of age or older**.

However, marijuana is listed as a controlled substance under federal law and because Hobart and William Smith Colleges shares in federal financial aid funding under Title IV of the Higher Education Act of 1965, the possession, use, transfer or sale of cannabis/marijuana is not permitted at Hobart and William Smith Colleges.

### 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/Cannabis

- 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 Counseling Center.

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

Hobart and William Smith provide educational programs and counseling services to address the issues of alcohol and other drug use. Hobart and William Smith 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 Alcohol and Drug Abuse and Prevention Team (ADAPT), Student Engagement, The Counseling Center, and various offices and organizations including

athletics, Student Engagement, 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="https://www.hws.edu/offices/counseling/counseling-facstaff.aspx">https://www.hws.edu/offices/counseling/counseling-facstaff.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="https://www.hws.edu/offices/health-center/default.aspx">https://www.hws.edu/offices/health-center/default.aspx</a> .
<b>Counseling Center</b>	The Counseling Center provides free, confidential services for HWS students, including individual and group counseling; emergency psychological services; and outreach and educational programming. The Counseling Center also offers psychological consultation to students and about students for faculty and staff. For more information, please call (315) 781-3388 or visit <a href="https://www.hws.edu/offices/counseling/default.aspx">https://www.hws.edu/offices/counseling/default.aspx</a> .
<b>The Office of Campus Life</b>	The Office of Campus Life manages the alcohol and other drug education and prevention programs and services. The Office of Campus Life 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 Campus Life 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 Counseling Center, local OASAS-approved alcohol and drug treatment centers, and local AA and NA chapters. Students seeking assistance for themselves or a friend will be eligible for Hobart and William Smith Amnesty policy. For more information please call the Office of Campus Life at 315-781-3900 or visit <a href="https://www.hws.edu/offices/campus-life/default.aspx">https://www.hws.edu/offices/campus-life/default.aspx</a> .
<b>Off-Campus Resources</b>	Council on Alcoholism and Other Drug Dependencies of the Finger Lakes, (315) 789-0310  Finger Lakes Addictions Counseling and Referral Agency, (315) 781-0771  A more complete list of Alcohol and Other Drugs Evaluations & Treatment Facilities is available through Hobart and William Smith Counseling Center website, at <a href="https://www.hws.edu/offices/counseling/default.aspx">https://www.hws.edu/offices/counseling/default.aspx</a> .

## 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, Hobart and William Smith 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 Hobart and William Smith off campus.

### A) Sanctions for Violation or Non-Compliance

Corrective action in accord with the applicable provisions of the Faculty Handbook, or Hobart and William Smith 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 Hobart and William Smith.
- 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 Hobart and William Smith 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**  
Hobart and William Smith 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**  
Hobart and William Smith 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 Hobart and William Smith Employee Assistance Program to offer drug education and awareness programs for employees. Hobart and William Smith Health Center, The Counseling Center and the Office of Campus Life will continue to offer such programs for students. Other campus organizations may also provide such programs for Hobart and William Smith 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. Some privileges listed within this section may be suspended in order to mitigate the risks of COVID-19. More information may be found in the Community Standards Addendum.

## **II) RESIDENCY REQUIREMENT**

Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith meal plan. To be exempt from these requirements, students must secure permission from the Director of Student Engagement Operations through the established and published procedure.

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

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

If provided permission to reside off-campus, students are responsible for 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 Hobart and William Smith 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 Hobart and William Smith 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 Student Engagement Office each academic year. Confirmation of status is given by a letter from the Student Engagement 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 Hobart and William Smith 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 Hobart and William Smith 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 Hobart and William Smith 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 Student Engagement Operations, 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 Non-Academic Accommodation Committee will send an accommodation letter to the Director of Student Engagement Operations and/or their designee. **The decision of the medical accommodation process is final and there is no appeal.**

2) Non-Medical Requests

As Hobart and William Smith 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 Student Engagement Operations. Non-medical requests for exceptions to Hobart and William Smith residency requirement are reviewed by a committee once per semester; the committee may also convene if a new student enrolls at Hobart and William Smith. The Director of Student Engagement Operations 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 Hobart and William Smith 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, Hobart and William Smith 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. Hobart and William Smith 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 Student Engagement Operations. 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, Hirshson 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 Student Engagement. Students interested in utilizing these spaces must complete an Event Form on Engage through the Student Engagement Center two weeks prior to the date of their planned event.

## VI) GENERAL REGULATIONS

- A) **Cleaning:** Students are responsible for cleaning their own rooms to meet both health and safety and their roommate agreement standards. Hobart and William Smith 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 small houses, where residents are responsible for the kitchen and dining areas. Residents are responsible for cleaning up any messes created during an event or social gathering both inside and outside of their residence. Maintenance of lawn space includes collecting all necessary trash and removal of personal items.
- B) **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.
- C) **Common Area Usage:** Residents, their guests, and members of Hobart and William Smith 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 Student Engagement Center.
- D) **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 Student Engagement 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) Hobart and William Smith 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, malicious, or other disruptive 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.
- E) **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.
- 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:** Engaging in illegal gambling activities 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 ensure Student Engagement expectations are followed.
  - 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 Hobart and William Smith 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 a Student Engagement staff member.
- I) **Motorcycles and Motorbikes:** Motorcycles and motorbikes are not permitted in the residence halls.
  - J) **Noise/Quiet Hours:** Any noise that disrupts the operation of Hobart and William Smith 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 Student Engagement 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 Student Engagement, where further action may be taken.
    - 2) **Courtesy Hours:** Hobart and William Smith 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.
  - K) **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.
  - L) **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 conduct sanctions. Hobart and William Smith assistance accommodation process may provide an exception for Service and Assistance Animals. The full policy can be found on the Disability Services website.
  - M) **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.
  - N) **Solicitation and Vending:** Solicitation or vending of any kind by students, company representatives, or mail-order displays is governed by Hobart and William Smith 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 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.")
  - O) **Unauthorized Room Occupancy:** Residing in a residential space before or after expected occupancy dates, as published within the academic calendar, without approval from the Student Engagement Office.
  - P) **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.

## 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 Hobart and William Smith 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 by the Vice President for Campus Life or designee.

- A) **Prohibited Items:** These items are prohibited (this list is a reference and not exhaustive):
- 1) Building lofts and other wood structures
  - 2) Candles/open flame devices (a charge of \$50 will be assessed for each candle found.)
  - 3) Coffee pots (units with an auto shut-off feature and Keurig-style coffee makers are allowed)
  - 4) Extension cords (only power strips with surge protectors are allowed)
  - 5) Fireworks/pyrotechnics
  - 6) Halogen or torchier lamps
  - 7) Holiday lights
  - 8) Incense
  - 9) Large refrigerators (above 3 cubic feet)
  - 10) Microwave ovens (except for Colleges-approved micro-fridges)
  - 11) Tapestries or other wall coverings, including flags
  - 12) Toaster ovens/hot plates/burners/Foreman grills

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 Student Engagement Center or Campus Safety:

- B) **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.
- C) **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.
- D) **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.
- E) **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.
- F) **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.
- G) **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.**
- H) **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.
- I) **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.
- J) **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 Hobart and William Smith. A charge of \$50 will be assessed for each candle found.
- K) **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 Director of Student Engagement Operations under the advisement of the Office of Disability Services.

- L) **Tampering with Fire Extinguishers and Other Life-Safety Devices:** Fire extinguishers, smoke detectors, and other life safety devices should be utilized only for their intended purpose and should not be removed or otherwise rendered inoperable. 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 Hobart and William Smith. **A minimum charge of \$250 will be assessed to any student or floor residents who falsely discharge a fire extinguisher, cover a smoke detector, or otherwise render a fire/life-safety device inoperable.**
- M) **Tapestry:** Clothing or other combustible materials should never be hung from any light source or on any wall.

## VIII) PUBLIC ORDER

- E) 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.
  - A) The following city ordinances are of particular interest to students:
  - B) The owner of any dog shall not allow, suffer, or permit their 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.
  - C) 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.
  - D) No person shall drink or otherwise consume liquor, wine, beer, or other alcoholic beverages or have in their 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.
  - E) 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.
  - F) 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.
  - G) 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.
- F) 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.
- G) 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 Hobart and William Smith.

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

Hobart and William Smith empowers students to implement intentional and collaborative programming that complements the coordinate liberal arts experience and fosters an inclusive and vibrant community.

A healthy and satisfying social life is an important aspect of the undergraduate experience and plays a vital role in developing the bonds of friendship, collegiality, and community. While alcohol may have a place in social activities, its role is ancillary to the mission and purpose of our residential and educational community.

HWS 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.

When reviewing student submitted events, HWS is 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 or promoted as an HWS sponsored event.

HWS has an amnesty policy to help ensure that students seek medical care for their peers. For more information, see the section Hobart and William Smith Medical Amnesty Policy."

Each year, we dedicate significant resources to support a wide range of alcohol-free programming alternatives.

## **1) GENERAL POLICIES**

### **a) Local Ordinances**

- i) The City of Geneva has adopted the following "Open Container" and "Social Host" ordinances:
  - ii) 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.
  - ii) 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 (applies to all sizes and types of events with alcohol)**

- i) Events with alcohol are not permitted until the start of the 5<sup>th</sup> week of classes in the fall and 3<sup>rd</sup> week of classes in Spring.
- ii) Underage drinking is strictly prohibited.
- iii) Students must use a valid and legal form of identification to purchase or obtain alcohol.
  - i) Any alteration of identification is considered a violation of the alcohol policy and is likely a legal violation as well.

- ii) A valid and legal photo ID must always be presented when requested to identify those students who are 21 or older.
- iv) Common sources of alcohol such as punch buckets are not permitted.
- v) Large containers of alcohol such as kegs or party balls are only allowed at approved events when monitored by TIPS trained monitors or an approved third-party vendor.
- vi) Hard liquor is prohibited on-campus.
- vii) 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. See "Types and Quantities of Alcohol" for specific information.
- viii) Students are responsible for any alcohol in their residences and/or rooms.
- ix) Alcohol is not permitted in traditional residence hall lounges under any circumstances.
- x) Alcohol is not permitted outside unless approved by the Social Event Request Committee and meets the guidelines set forth.
- xi) Members of the HWS 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 HWS and is a violation of college policy.
- xii) Activities that promote high-risk drinking, such as excessive and/or rapid consumption of alcohol, particularly of a competitive nature, are not permitted.
- xiii) No College funds may be used for the purchase of alcoholic beverages.
- xiv) Alcohol may not be mentioned in advertising and publicizing any event without the express written permission of the VPCL or their designee.
- xv) 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. Non-alcoholic beverages should be displayed and served in a visible, attractive location.
- xvi) 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.
- xvii) Any event or activity related to the new member joining process (e.g., recruitment, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to "bid night," "big/little" events or activities, "family" events or activities and any ritual or ceremony.

c) Hosting an event

The following rules apply for events with alcohol:

- i) Social hosts must use a "bracelet system."
- ii) 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.
- iii) 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.
- iv) 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.
- v) All outdoor parties at which alcohol is served must be fenced in and adhere to NYS Liquor Authority guidelines.

2) TYPES/CATEGORIES OF EVENTS

a) Spontaneous/Small event

HWS recognize students 21 and older might want to gather in a spontaneous way to socialize and interact, and alcohol might be present (except in halls deemed substance free). If 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, Greek housing, and Odell's apartments, as long as the small gathering does not exceed the occupancy guidelines set forth below:

1. 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.
2. 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.
3. For all houses, including greek housing, the occupancy cannot exceed double the current occupancy plus one for a spontaneous event.
4. The assigned residents for these spaces are considered the hosts of the events and therefore:
  - a. Must be present for the entire event, monitor the entire event, and make sure there is no underage or unsafe drinking.
  - b. These residents are responsible for age verification and will also be held responsible if people under the age of 21 are found consuming alcohol.
  - c. Supply ample water and non-alcoholic beverages must be as visible and accessible as the alcoholic beverages that are being served.
  - d. Adequate food must be provided.

- e. The amount of alcohol purchased must be scaled for the reasonable anticipated number of attendees of legal drinking age, typically considered 4 drinks for each person.
  - f. If HWS staff have concerns that a small event is not being managed well or concerns regarding the violation of policies, the event will be addressed and may be closed down.
5. 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 college policy.

b) Medium/Large Sized Events

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. Only approved student clubs or organizations can host a medium or large sized events. For either medium or large sized events, students must submit a request form through Engage.

1. A medium sized event is defined as in excess of double the occupancy plus one, up to a maximum of 75 people.
2. A large sized event is defined as a party in excess of 75 people.
3. There must be one (1) centralized location for distribution of alcoholic beverages. No other location, especially members' rooms, should be used for the distribution of alcoholic beverages. This space is staffed by a TIPS monitor.

c) Outdoor Events

Outdoor events are any event that occurs outside a physical building, but are limited to the outdoor perimeters the building sits on.

1. Regardless of size of event, outdoor events have specific policies and time constraints.
2. Each organization may request to host one (1) outdoor event per semester that involves alcohol. If an event is cancelled or moved inside due to weather, that outdoor event will not be rescheduled.
3. Outdoor events are limited to Saturdays from 1:00 p.m. - 5:00 p.m. all guests must leave by 5:00 p.m. Any alterations to this timeframe will be reviewed and approved by the VPCL or their designee.
4. Events must not interfere or disrupt normal activities. Events may be denied based on other campus or community activities.
5. The organization must provide ample outdoor trash & recycling containers.
6. The same policies and processes apply for daytime events as nighttime events.
7. The size of the event will be determined by the outside space available to the club or organization. If the group does not have sufficient outside space, they may partner with another organization to use their space which will not count as the other organization's one (1) event per semester.
8. There must be one (1) centralized location for distribution of alcoholic beverages. No other location, especially members' rooms, should be used for the distribution of alcoholic beverages. This space is staffed by a TIPS monitor.
9. TIPS monitors are required at the event. The number present will be based on attendance of the event.

3) REQUEST PROCESS

a) Submitting a request

1. The Social Event Request Form must be submitted through Engage a minimum of five (5) business days prior to the event.

2. Requests are reviewed by a Social Event review committee comprised of representatives from Campus Safety and the Student Engagement Center.

b) Pre-event meetings

1. Prior to an event being reviewed, the hosts listed on the event must attend a meeting with a Student Activities staff member to review all guidelines of hosting a social event.
2. If an event is approved through the Social Event Review Committee, the host will be notified via email and must attend a meeting with Campus Safety and Student Engagement staff typically the Friday before the event to review details.
3. All approved events through the Social Event Review Committee will be communicated to appropriate campus officials with event details.
4. Failure to attend these meetings will result in the cancellation of the event.

c) Day of Event Details

1. Campus Safety will conduct a pre-event walk through and walk through at least one (1) time during the event. HWS officials may visit a party more than once based on varying factors.
2. 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.
3. In addition, pending an investigation, any approved applications of future events will be suspended until such proceedings have concluded.

c) Clean Up

1. Regardless of the location of an event, it is the host's responsibility to clean up the facilities after the event.
2. Buildings & Grounds will not clean-up for an event and trash must be disposed of in the proper areas.

4) **EVENT TIME & LOCATION**

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. HWS will enforce the designated capacity. To determine the capacity for specific on-campus properties, please contact the Student Engagement Center.

c) Event Time

1. On-campus events with alcohol may take place:
  - a. Friday 10:00 p.m. – 1:00 a.m. (all guests must leave premises by 1:30 a.m.)
  - b. Saturday 1:00 p.m. – 5:00 p.m. OR 10:00 p.m. – 1:00 a.m. (all guests must leave premises by 1:30 a.m.)
2. Events must not interfere with or disrupt normal activities. Events may be denied based on other campus or community activities.

d) Event Location

- i) Below are the approved locations for large sized events. All locations are as permitted by fire code and/or Campus Safety:

- (a) Barn
  - (b) Bartlett Theatre
  - (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
- ii) A third-party vendor may be used for events that serve alcohol this includes the following situations:
- i) Whenever alcoholic beverages are sold;
  - ii) 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;
  - iii) Whenever a common source of alcohol is present.
  - iv) 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 HWS 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.

## 5) TIPS MONITORS

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 medium or large 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 Engagement website). At least 50% of the TIPS monitors for a single event must be non-members of the sponsoring organization.

- (a) There must be AT LEAST the number of TIPS monitors below, whichever is greater:
  - (i) Based on exterior doors:
    - 1. One (1) TIPS monitor for each exterior door to the venue AND
    - 2. One (1) monitor stationed to distribute alcohol AND
    - 3. One (1) monitor as a floater OR
  - (ii) Based on attendance:
    - 1. Three (3) TIPS monitors for an event with < 75 students
    - 2. Four (4) TIPS monitors for an event with 76 < 100 students



3. Six (6) TIPS monitors for an event with 101 < 150 students
- (b) 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.
- (c) 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).

## 6) TYPES AND QUANTITIES OF ALCOHOL ALLOWED

- a) The amount of alcohol at the event must be scaled for the planned number of attendees that is 21+. Generally, this is considered the equivalent of four (4) 12 oz. beers/person or the equivalent wine, seltzer, or hard cider. For example, an event with forty (40) 21+ attendees could provide one (1) keg.
- b) Only beer, wine, malt beverages, hard cider, or seltzers are allowed. These beverages must not have an alcohol content that exceeds 15 percent. No hard liquor is allowed at any event.
- c) No glass bottles are permitted.
- d) Only one (1) alcoholic beverage may be acquired at a time.
- e) Approved student events are allowed the choice of two alcohol options:
  - i) Groups may provide beer, seltzers, cider, or wine. Large containers of alcohol such as kegs or party balls are not allowed.
  - ii) An event may be BYOB with the following stipulations:
    - i) All alcohol must be at the venue at least 4 hours prior to the start of the event.
    - ii) Alcohol is limited to beer, wine, hard cider, or seltzers with BACs at 15% or less. No hard liquor is allowed.
    - iii) Only one alcoholic beverage can be distributed at a time, per person.
    - iv) Each 21+ attendee bringing their own alcohol is limited to four (4) cans or one (1) bottle of wine.
    - v) Hosts of the event must mark and store the alcohol at the bar area of the event.
  - iii) Alcohol will be inventoried during Campus Safety's pre-event walk through. If there is deemed to be an excessive amount of alcohol for the number of 21+ on the attendee list, the event will be cancelled.
  - iv) Regardless of the option chosen, all alcohol must be monitored by a TIPS trained monitor or third-party vendor who will distribute the alcohol.
  - v) No College money can be used to pay for alcohol.

## 7) ATHLETIC-RELATED EVENTS AND OCCASIONS

- a) 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:
- b) All federal, state, and local laws apply, as well as applicable HWS policies and procedures.
- c) Underage drinking is prohibited.
- d) These parties are permitted only during the hour before, the hour after, and at half-time of the athletic event.
- e) Those wishing to tailgate must park in an assigned, restricted area. Consumption of alcohol must be confined to this area.
- f) The amount of alcohol to be consumed must be a reasonable quantity, suitable to a picnic-type gathering.
- g) Parents, guests, and others must ensure that persons under the age of 21 are not served alcohol
- h) "Common source" containers are prohibited in the tailgating area.
- i) Guests are requested to cooperate with Campus Safety and athletics department personnel in restricting alcoholic beverages to the designated area and in prohibiting underage use.
- j) Underage drinking and/or disruptive behavior of any kind will result in the event being closed down.

- 8) **FACULTY-SPONSORED EVENTS AND INSTITUTIONALLY SPONSORED EVENTS ON CAMPUS**  
HWS 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 HWS 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.
- 9) **EVENTS AND SOCIAL OCCASIONS OFF CAMPUS**
- a) Students living off campus are expected to meet state and local laws governing alcohol and other substances.
  - b) 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 HWS
  - c) 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.
  - d) Faculty and other 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, employee, or co-participant in an institutionally-sponsored, sanctioned, or related activity. Underage drinking is prohibited.
  - e) Under no circumstances may College 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 conference.

# **I) 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 Engagement and Campus Safety. The event checklist provided by Student Engagement 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 Engagement staff.
<b>Food and beverages</b>	As a non-alcoholic event, food and beverages provided will be the responsibility of the hosting organization.	<p>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</p> <p>Alcohol will be in proportion to guests who are 21 years of age and older.</p> <p>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 Engagement. An alcohol permit must be coordinated at least one month in advance.</p>	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>	<p>Campus Safety will conduct a walkthrough of the venue within one hour of the event's start to ensure all requirements have been met.</p> <p>Campus Safety will walk through the event after the end time to ensure the event has finished and guests depart the building.</p>	<p>A safety plan for the event will be created with Student Engagement 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.</p> <p>Additional walkthroughs of the event may take place at any time.</p> <p>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.</p>	<p>Campus Safety may walk through the event at any time.</p>
<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 Student Engagement Center.</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 Student Engagement Center.</p> <p>Medium sized/large sized events must have a ratio of 1 trained TIPS monitor for every 25 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 Engagement and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Student Engagement and reviewed by Social Event Request Committee.</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 Student Engagement Center.</p>
<b>Approval</b>	<p>Greek and Club events approved by Student Engagement and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Student Engagement and reviewed by Social Event Request Committee.</p>	<p>Greek and Club events approved by Student Engagement and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Student Engagement and reviewed by Social Event Request Committee.</p>	<p>Greek and Club events approved by Student Engagement and reviewed by Social Event Request Committee.</p> <p>Small and Theme House events approved by Student Engagement and reviewed by Social Event Request Committee.</p>

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

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

- A. Each active club is required through the Student Engagement Center. Registration consists of the submission of the club registration form on HWS Engage with the Student Engagement Center with the names of the executive board members for the club and a copy of the club's constitution with appropriate revisions. 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 Hobart and William Smith and may not operate as a group on campus. Clubs and organizations that become inactive may re-activate through the Student Engagement Center. Potential new clubs work closely with the Student Engagement Center to prepare for their club recognition proposal at a student government meeting in order to receive club status. Through registration with Hobart and William Smith, the rules and regulations contained in the Handbook of Community Standards are deemed part of all organization, club, and Greek Life organization by-laws.

## **II) GREEK LIFE POLICIES**

### **A. Greek Recognition**

- a All organizations must complete all of the following steps in order to be recognized by Hobart and William Smith Colleges. Recognition runs through the Student Engagement Center. Prior to formal recognition, the organization may not function on campus, enroll members, or identify as a chapter on campus. Upon receipt of a formal recognition letter from the Director of Student Activities and Greek Life, the organization may begin to recruit and will be officially recognized in the following Fall semester. Registration
- (i) Meet with the Director of Student Activities and Greek Life to express interest in the formation of a new organization and to learn about the process for formal recognition.
  - (ii) Host an informational session for students to generate interest.
  - (iii) Complete the club and organization registration form in the Student Engagement Center. Submit the completed form with the list of interested participants.
  - (iv) Submit an advertisement to the national bulletin to find an organization that is interested in starting a chapter at Hobart and William Smith Colleges.
  - (v) After receiving interest, host another informational session to select from which national organization the chapter will request recognition.
  - (vi) Obtain approvals to move forward from Greek Council, the Student Engagement Center, and Campus Life.
  - (vii) Send a letter of intent to the selected, national organization of preference.
  - (viii) Draft a constitution and bylaws, submit both and an updated roster to the Student Engagement Center. The cumulative grade point average for the chapter must be at least a 2.5. If accepting second semester first year students, their individual GPAs must be at least 2.8.
  - (ix) Obtain a certificate of commercial liability insurance (with no host, liquor, or hazing liability exclusions) in the amount of \$1,000,000 per occurrence, \$2,000,000 aggregate, naming Hobart and William Smith of Seneca as an additional insured, using the following language in the certificate, "Hobart and William Smith Colleges, 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." Hobart and William Smith may modify this requirement under certain circumstances.
  - (x) Host a new member education program that is approved by its respective national association and submitted to the Student Engagement Center 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.

- (xi) Complete new-member anti-hazing contracts within 24 hours of accepting a membership bid or offer and submitted to the Student Engagement Center 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.
- (xii) Develop an annual Chapter Development Plan that outlines the chapter's specific purpose and goals for the current year and submit it to the Student Engagement Center within three weeks of transitioning newly-elected officers.
- (xiii) Submit names, addresses and telephone numbers of at least 2 alumni advisory board members, 8 for chapters with housing facilities, and completed information submitted to the Student Engagement Center by the established deadline by each office.
- (xiv) The Associate Dean of Students and Vice President for Campus Life will review final documentation portfolio and review. If all items have been successfully achieved, the organization will receive an "Emerging Chapter" recognition, meaning that the organization will be reviewed again within one academic year. After a final review, the organization may be granted "Full Chapter" status.

B. Return to Active Status for a Dormant Organization

This section applies to any organization that has voluntarily disbanded, become passive over time, has been removed due to suspension, or has gone dormant due to a lack of membership. An attempt to re-start a currently dormant organization may begin 1 year after the suspension occurs or dormant status began. Those organizations that become dormant due to lack of membership or interest may re-start upon meeting with the Student Engagement Center if the dormancy was one year or less.

- a. Organizations that have been suspended 3 times within a 10 year period are ineligible to apply for recognition and are considered an expelled organization. Expelled organization may appeal status after five academic years.
- b. In order to return to active status and be able to recruit membership, the organization must complete the following steps and receive authorization from the Director of Student Activities and Greek Life:
  - i. Satisfy all outcomes and requirements outlined in a suspension letter.
  - ii. Complete the new organization application with the Student Engagement Center.
  - iii. Meet with the Director of Student Activities and Greek Life and receive a letter stating that Hobart and William Smith will recognize the organization upon completion of required outcomes.
  - iv. Present the letter from Student Engagement to the national organization for approval to re-start the chapter at Hobart and William Smith.
  - v. Follow all steps outlined within the recognition section of these policies.
  - vi. Obtain two faculty advisors for a one year period of reinstatement. Upon completion of the one year period of reinstatement, the organization must maintain a single faculty advisor.
  - vii. Once meeting all requirements, the organization will receive a letter from the Director of Student Activities and Greek Life notifying them of the re-establishment of the organization.
  - viii. Newly recognized organizations may become fully active in the following fall semester recognition after approval from Student Engagement and Campus Life.

C. Ongoing Requirements for All Organizations

- a. Education program- 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 second semester first year 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 Engagement Office by the requested deadlines.

- b. Anti-hazing
  - i. Annual training must be completed by chapter members
- c. Civic Engagement
  - i. Each recognized organization on campus must complete a semesterly civic engagement program that includes 70% of the chapter's membership. Attendance and number of hours associated with the volunteer opportunity must be submitted to the Student Engagement Center.
- d. Maintain the Chapter Development Plan and meet all requirements outlined within the plan.
  - i. 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 ChapterHost one social and one civic engagement program each semester to serve as a vital part of the campus community. Remain active in Greek Council by sending at a minimum two representatives to weekly Greek Council meetings.
- e. Accreditation Program
  - i. Greek organizations were created with the strong belief that close association with fellow college peers 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 Student Engagement Center. The model is distributed to all Greek students at the beginning of each calendar year and is tracked by the Student Engagement Center. The process for collecting and evaluating activities that apply to Hobart and William Smith accreditation program is coordinated by the Director of Student Activities and Greek Life and/or his or her designee—this includes the institution of specific outcomes if an organization fails to meet accreditation standards.

D. Housing

- a. Students who belong to the Greek system may live in their organization's house during their sophomore, junior, and/or senior year(s). New members ("pledges") in their first-year of academics at Hobart and William Smith are not allowed to live in Greek organization houses. Presidents must submit a housing list to Student Engagement 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 housing contract. Any student who moves out of a Greek house must move back in Colleges-owned housing. They may not move off-campus without the permission of Student Engagement.

All Colleges-managed Greek organization housing must maintain 95 percent occupancy or the Greek organization residents must meet a corresponding financial obligation, or, fill the housing vacancies. If such a financial obligation arises, additional room charges necessary to meet the 95 percent occupancy target may be charged to the appropriate student account(s) for that semester.

Hobart and William Smith may choose to permit students who are not part of the Greek system to reside in your house. This decision will be decided on a year-to-year basis and will be announced prior to the start of the housing selection. If non-members

are permitted to reside in the house, the house must maintain a 51%+ occupancy of Greek organization members.

Greek house location change – Some Greek organizations reserve the right to select a different housing location each academic year. Housing relocation options vary each year based on availability and Colleges' needs. A Greek organization housing relocation request must be submitted and reviewed before the end of the current Fall semester. If approved, the housing relocation will be for the following academic year. Housing relocation requests must be for Colleges'-owned houses. The Greek organization must fill at least 85% occupancy of the requested housing relocation with current Greek organization members. Greek house relocation requests are reviewed by the Director of Student Engagement Operations. Requests will be reviewed and approved based on availability and Hobart and William Smith needs.

In accordance with the HWS Housing Agreement, all undergraduate students residing in a Greek house are required to be on a meal plan. Each year, Greek houses are required to select to be on the co-op meal plan, or a Colleges' meal plan. Everyone residing in a co-op must participate in the co-op. Everyone residing in a College's meal plan house must select from any of Hobart and William Smith meal plan options. Residing in a Greek house does NOT exempt students from the meal plan requirement.

E. 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 in their second semester (4 credits earned) are eligible to pledge, join or affiliate with any Greek organization. Eligible students must have a 2.8 GPA, good midterm progress report, no conduct history, and there are extended study requirements.

F. Recognized Organizations

Fraternal organizations recognized by Hobart and William Smith for the 2023-2024 academic year are Alpha Phi Alpha, Chi Phi, Delta Chi, Kappa Alpha Society, Kappa Sigma, Sigma Chi, Theta Delta Chi, and Sigma Phi. The sorority recognized by Hobart and William Smith for 2023-2024 is Theta Phi Alpha.

G. 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.

Students who affiliate with any disbanded or suspended organizations are subject to review and may be required to withdraw from Hobart and William Smith.

a. 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 Student Engagement Center.

### 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 could be seen by a reasonable person as recklessly or intentionally endangers the physical or mental health of anyone, destroys or removes public or private property, that involves the forced or coerced ingestion of alcohol or other drug(s), or that interferes with anyone's academic obligations regardless of the individual's willingness to participate.

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 Hobart and William Smith. 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.

A variety of staff/organizations may be involved in hearing cases depending on the group involved. For example, the Director of Student Activities & Greek Life, Director of Community Values and Conflict Resolution, Committee on Standards, or Administrative Review Panel may hear cases when a club or organizations is 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.

Examples of hazing:

Some activities that may be considered hazing are listed below. Please note that this is not an exhaustive list.

- Any physical abuse expected of or inflicted upon another, including paddling, kicking, or punching in any form.
- Any strenuous physical activity expected of or inflicted upon another, including calisthenics or physical training outside of Athletic coach supervised practices/games [Note: this does not apply to athlete-led voluntary training sessions that are appropriate in nature]
- Creation of excessive fatigue, sleep deprivation, or interference with scholastic activities, including late night work sessions, meetings, or sleepovers.
- Physical and psychological shocks, including lineups, berating, verbal abuse, threats, and name calling.
- Sexual violations or other required, encouraged, or expected sexual activity, whether actual or simulated.

- Prolonged exposure to severe or inclement weather.
- Periods of silence or social isolation.
- Kidnapping, abandonment, or any other involuntary excursions.
- Wearing uniforms or apparel that is conspicuous and not normally in good taste.
- Engaging in degrading or humiliating games, activities, or stunts; including requiring, encouraging, or expecting individuals to carry, possess, or maintain objects or items.
- Requiring or compelling the consumption of liquid (including alcohol), food, drinks, or other substances.
- Servitude or placing another in a position of servitude, including requiring, encouraging, or expecting a new member to do the tasks of, or to do tasks for, an experienced member, or to address members with honorary or formal titles.
- Requiring a new member to do tasks that are not asked of current or alumni members but would be considered part of a person's daily routine such as being the only members required to clean a room or facility.
- Taking, withholding, or interfering with an individual's personal property.
- Falsely leading an individual or individuals to believe that they will be inducted or initiated by participating in particular activities.
- Depriving an individual of any privileges of membership or affiliation to which one is entitled.
- Removing, stealing, taking, or damaging public or private property; and
- Requiring, encouraging, or expecting individuals to participate in activities that are illegal or unlawful or are not consistent with the group's mission or values or the policies of Hobart and William Smith, including the Community Handbook

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, they 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, they 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		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	<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.	Heroin 1 kilogram 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	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	
				<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.
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.		

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p><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 other than an individual.</p> <p><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 other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p><b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>1 to 49 marijuana plants</p>	
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	



HOBART AND WILLIAM SMITH  
COLLEGES

**Office of Campus Life**  
(315) 781-3900

**Hobart and William Smith Dean's Office**  
(315) 781-3467

**For emergencies, contact Campus Safety**  
(315) 781-3333