Dear Hobart and William Smith Community Members,

We are very happy that you have joined us as a member of the Hobart and William Smith Colleges community. This is a globally focused, student-centered learning environment 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 a document designed to foster and maintain a community in which the mission of the Colleges may be achieved. The opportunity to participate in this community requires that all members accept individual responsibilities. By voluntarily choosing to affiliate with Hobart and William Smith Colleges, students indicate knowledge of and acceptance of the responsibilities outlined in the Community Standards. These Community Standards rely on three primary principles which guide all members of our community as we strive to achieve our collective goals:

1. **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 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 act justly in interactions with one another. All members of the community are entitled to and responsible for maintaining an environment of civility that is free from disparagement, intimidation, harassment and violence of any kind. Members of the HWS community are expected to respect property of the Colleges, the private property of other members of the community, and the property of the larger neighborhood in which we live.

2. **Freedom of Expression and Participation**
   Fundamental to its existence as an academic institution in the liberal arts tradition, Hobart and William Smith Colleges foster an environment in which all ideas can be reasonably proposed and critically examined. The Colleges recognize that the free exchange of ideas and expression may produce conflict. This exchange is an important element in the pursuit of knowledge. Implicit in the pursuit of this exchange is the privilege to dissent and demonstrate in a peaceful and non-disruptive manner without unreasonable obstruction or hindrance. The Colleges expect that those who enjoy this privilege also accept the responsibility for their actions and for maintaining order. The Colleges also recognize the rights of those who desire not to protest and who wish to continue to participate in the normal activities of the Colleges.

3. **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.

It is my sincere hope that all members of our community will take seriously these expectations. I’m confident that together we will create a rich, vibrant living and learning environment in which you can achieve your academic and personal goals.

Very Truly Yours,
Robert S. Flowers
Vice President for Student Affairs
HUMAN RIGHTS POLICIES

TITLE VII AND IX NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE

Hobart and William Smith Colleges do not discriminate on the basis of race, color, religion, sex, national origin, family relationship, sexual orientation, gender expression and identity, veteran status, or age in the educational programs and activities that they operate. This grievance procedure applies to all operations subject to the provisions of Title IX of the Education Amendments Act of 1972.

The director of development has been designated Title IX officer. A copy of the full text of the act and regulations available for public review may be found in the human resources office.

This grievance procedure does not preclude the Colleges from taking direct administrative action to address situations of harassment or discrimination.

Article I. Purpose. These procedures are available to students, faculty, administration, and administrative staff of these Colleges and applicants for admission to, or employment by, these Colleges. These procedures shall not be available to Colleges’ employees who are within a collective-bargaining unit represented by a labor organization, which is a party to a contract with an established grievance procedure under which the grievance may be brought.

These procedures are designed to consider claims of discrimination resulting from established institutional policies or procedures, or because of actions of Colleges’ employees in administering these policies or procedures. Complaints directed against social organizations or alumni/alumnae organizations cannot be considered here, since the Colleges are not responsible for the policies or procedures of these organizations.

These grievance procedures provide a clearly defined way for disagreements over Colleges’ policies and actions to be considered by a competent and representative group. It is hoped that the disagreements represented in grievance cases will be resolved by common consent at an early, informal stage of consideration. When this is not possible and a formal hearing is conducted, this proceeding and the consideration of the case by the president of the Colleges represent the final and highest consideration of the case.

The Title IX officer shall be charged with overall responsibility for the operation of the grievance procedure and shall be authorized to receive a grievance covered hereunder, which shall be transmitted to the Committee for investigation in accordance with these procedures.

Article II. General principles. The Title IX Grievance Committee on Non-Discrimination (the “Grievance Committee” or the “Committee”) will consider cases alleging violation of the Colleges’ policy of non-discrimination. That policy is as follows:

The Colleges do not discriminate against applicants, students, or employees on the basis of race, color, religion, sex, national origin, marital status, disability, sexual orientation, or age.

The Grievance Committee, or a subcommittee designated by it under Article IV below, will have the responsibility for investigating a particular case, including review of all necessary relevant documents. The Grievance Committee will be the sole determinant of whether a grievance is properly brought under this procedure and of the manner in which it shall be considered.

A person initiating a grievance will not be adversely affected because of the bringing of such grievance.
The Grievance Committee and any subcommittee or hearing panel appointed under Article IV below will observe strict confidentiality in its investigations in both formal and informal proceedings. All formal complaints will be reviewed and acted upon as promptly as is compatible with proper investigation of, and due deliberation upon, the questions involved.

The findings and recommendations of the Grievance Committee and, where designated, the hearing panel, will be submitted to the appropriate senior official of the Colleges. The designation of the appropriate senior official will vary based upon the participation of faculty, staff, and students as grievant and accused in the process. The president of the Colleges shall designate the appropriate senior official, though in general this person will be the provost and dean of faculty for faculty complaints, the appropriate member of senior staff for staff complaints, and the Vice President for Student Affairs or designee for student complaints. In cases where the president is involved as grievant or primary individual accused, the chairman of the Board of Trustees will designate a Trustee to act as the senior official of the Colleges.

The designated senior official will respond in writing to the findings and recommendations of the Grievance Committee or hearing panel, describing any actions to be taken as a result of the findings or recommendations. If any specific recommendations of these groups are not followed, the designated senior official will state the reasons for rejecting those recommendations. The written report shall go to the grievant and the individual whose actions are the subject of the grievance.

The grievant or the party or parties whose actions are the subject of the grievance may appeal the written decision of the designated senior official. Such appeal shall be in writing and shall be made to the president of the Colleges within 10 days of the written decision of the designated senior official. The president may consider appeals on the basis of new evidence, faulty reasoning, errors in procedure, or the appropriateness of any sanction imposed. The president’s response to the appeal shall be made in writing and shall be final. Where the president is involved in the complaint as either the grievant or the primary individual accused, the appeal shall be made to the chairman of the Board, whose decision will be final.

The findings and recommendations of the Grievance Committee and, where designated, the hearing panel, and the response thereto will not be made public. Particular actions directed by the designated senior official shall be made known to the appropriate Colleges representatives responsible for such activities. Institutional records of the complaint, the findings and recommendations of the Grievance Committee and, where designated, the hearing panel, the response thereto by the designated senior official, and where applicable, the appeal, shall be maintained by the Title IX officer.

**Article III. The Grievance Committee on Non-Discrimination.** The Committee shall consist of seven persons who shall be appointed to serve for the duration of a complaint. A committee member may be reappointed for multiple complaints. The Committee shall include the Title IX officer and a member of the Department of Human Resources. Should the complaint involve the Title IX officer as grievant or primary individual accused, the president shall appoint another person to the Committee in the officer’s stead. The Committee shall always include one other member of the administrative staff and two faculty members. The remaining two seats will be filled by two students, two members of the faculty, two members of staff, or some combination of these groups in order to achieve participation from the ranks of the Colleges represented by the grievant and the person whose actions are the subject of the grievance. The president shall determine from what ranks these two seats shall be filled. The seven members of the Committee will elect a chair at the first committee meeting. Members will be appointed as follows: administrative employees, by the
Article IV. Committee procedures. Grievances related to discrimination should be resolved informally between the parties immediately concerned whenever possible. When such informal direct discussion does not lead to a resolution satisfactory to the parties, the grievance may be brought formally to the Grievance Committee by means of a written statement stipulating the grounds for the grievance, the parties thereto, and the facts giving rise to the grievance, and by presenting the same to the Title IX officer. The grievance must be filed with the Title IX officer within 30 days of the most recent incident giving rise to the complaint or within 30 days following the effective date of this policy, whichever is later.

The Title IX officer will inform the president that a Grievance Committee needs to be constituted in accordance with Article III. The president will take such steps as are necessary to cause a Grievance Committee to be constituted and shall designate the senior official for the purpose of the grievance.

The Grievance Committee will meet to consider each grievance within 10 days of receipt of the formal grievance, except where such a grievance occurs other than during regular school sessions, in which case such a meeting will be scheduled as soon as is practical. After receiving the written grievance and any other information subsequently requested by the Committee, the Committee may conclude that the grievance is not actionable under Title IX, in which case it shall advise the grievant that it declines to take further action and indicate its reasons for doing so. The Committee may conclude that the evidence considered as a whole establishes a *prima facie* basis for the grievance, in which case the Committee will direct one of its members to act as a mediator between the parties concerned in an attempt to conciliate their differences.

Failing successful conciliation, a three-person subcommittee will be appointed from the members of the Grievance Committee to investigate the grievance and to make a report of findings to the full committee. One member of the subcommittee will be appointed by the full committee, one member will be selected by the grievant, and one member will be appointed by the individual whose actions are the subject of the grievance. In the case where the grievance is brought on the basis of an alleged discriminatory institutional policy, the administrator who is most immediately responsible for the implementation of that policy will select the third member of the subcommittee.

In addition to conferring with both the grievant and the party(ies) against whom the grievance is brought, the subcommittee will invite the person(s) named in the charge or an appropriate administrative official to submit a written statement responding to the grievance. Every reasonable effort will be made to achieve a settlement of the dispute or grievance during the investigation by the subcommittee. An informal investigation may be utilized by the subcommittee, and it may request conferences with anyone involved in the matter. The subcommittee will report to the Grievance Committee within 30 days of the filing of the written complaint, or within 15 days of the time at which the subcommittee is appointed to investigate the grievance, whichever is later.

Based upon the report of the subcommittee, the full committee will decide whether a formal hearing is required. A formal hearing may not be required if the Committee determines, at the Committee’s discretion, that the evidence clearly does not support a Title IX violation or if the evidence clearly indicates that a violation has occurred. If such a hearing is not required, the Committee will make its formal report and recommendation to the designated senior official, to the grievant, and to the individual whose actions are the subject of the grievance within 30 days of the appointment of the subcommittee. In the case where the
grievance involves a policy of the Colleges, the report shall go to the appropriate person responsible for administering the policy.

If a formal hearing, at the sole discretion of the Committee, is required, a hearing panel will be appointed. The purpose of the formal hearing is to permit the panel to secure relevant evidence, information, or testimony that will help the panel reach a just conclusion. The weight of credibility given to the evidence shall be made without the formal restrictions on admissibility of evidence which would apply in a court of law.

Article V. Hearing panel procedures. The grievant, upon notification by the Grievance Committee that a hearing panel has been designated, will prepare and file a signed statement of the specific charges with the panel chair within 10 days of such notification, setting forth all supporting evidence for the charge that the grievant wishes considered by the panel. The statement will be made available to the panel members, the Title IX officer, and to any individual charged with discrimination.

Charges of individual discrimination may be made against an individual who, in the performance of official duties at the Colleges, is alleged to have violated the Colleges’ policy against discrimination, set forth above. Charges of discriminatory institutional policy shall be made against the Colleges and not against individuals. Persons serving in administrative and department-chair capacities at the Colleges, in the performance of their duties as such, shall be viewed as agents of the Colleges for the limited purposes of this paragraph, and charges shall not be directed against them as individuals.

The panel chair will convene the panel within 10 days of receipt of a proper statement of charges from the grievant. The chair will be responsible for the adoption of ground rules and procedures under which the hearing shall be held (except as specifically provided in this Article) as that chair, in his/her sole discretion, deems appropriate. The chair is responsible for conducting a fair, orderly, and expeditious hearing and for ruling upon questions of procedure, admissibility of evidence, and the appropriateness of questions. The chair will make certain that all individuals charged in the original statement or during the proceeding shall have a full opportunity to respond to the charges. This may include College officials not specifically named in the proceedings.

At least three members of the hearing panel, including the chair, must be present at a hearing. In addition, the grievant must be present. Any individual accused in the statement of charges must be informed of all hearing sessions and given the opportunity to attend. The grievant or the Colleges may ask that observers be allowed to attend hearing sessions, a request which may be granted or denied at the discretion of the chair. No party or participant in the hearing shall, as a matter of right, be entitled to counsel or to the presence of counsel. Where an individual charged in these proceedings is a member of a collective bargaining unit on campus, the campus representative of that bargaining unit may be present at the hearing sessions as an observer. Observers will have no voice in the hearing.

The official record of the hearing will consist of the written statement of charges, notes made by a member of the hearing panel designated to act as secretary and approved by the panel, and those documents submitted by the grievant, the Colleges, the charged party, or by a witness during the hearing and admitted into evidence by the panel chair. The official record will be available for inspection only by panel members, the grievant, a representative of the Colleges designated by the Title IX officer, and any individual specifically charged with discrimination.

The panel chair shall open the hearing by stating the procedures to be followed, including any time limits on the presentation of the charges and the response to the charges, and reading the written statement of charges or a summary thereof. This will be followed by an opportunity for a statement by the appropriate
Colleges representative or by the individual charged, in response to the statement of charges. Following the statement of charges and response, the hearing panel will hear the relevant evidence reasonably available from witnesses present. Panel members may at any time question the grievant or individuals specifically charged with discrimination, in order to relate their testimony to that of a witness. Neither the grievant nor the individuals charged may question each other, and their comments must be addressed to the chair and panel members, in accordance with the procedures established by the chair.

The hearing panel will make a written report of its findings and, where appropriate, its recommendations for resolving the grievance. This report will be submitted to the designated senior official and copies made available to the grievant and all individuals charged with discrimination, no later than 15 days following the final hearing session. Where the complaint involves a Colleges’ policy, a copy of the report shall go to the person responsible for administering the policy.

A written response shall be made by the designated senior official as provided in Article II.

**SEXUAL MISCONDUCT POLICY**

**General Statement**

As four-year residential liberal arts colleges with full-time undergraduate students, Hobart and William Smith Colleges are committed to creating and maintaining an academic and working environment that respects the different voices and experiences of its members and that nurtures the trust of its academic mission. Open and free discussion of issues of gender, race, class, sexual orientation, religion, age, and other intellectual, social, and political topics are the hallmarks of this institution.

The Colleges have general expectations of Hobart and William Smith students and employees (for purposes of this Policy, employees include faculty, salaried and hourly staff, and volunteers). The Colleges expect that its members will behave responsibly and equitably, that they will respect the personal rights of others, and that they will not infringe on the rights of others. The members of the Colleges are expected to maintain professional relations that underscore the academic mission of the institution.

The integrity of the Colleges rests upon its ability to create and maintain an environment free from intimidation or injury generated by sexual intolerance or harassment. The Colleges act to eliminate such practices from our community and to remedy their effects. All members of the Colleges are entitled to a professional working and learning environment. All members of the Colleges are accountable and responsible for ensuring that a respectful and trusting environment is maintained.

**THIS POLICY APPLIES TO ALL MEMBERS OF THE COLLEGES COMMUNITY: STUDENTS AND EMPLOYEES. THE BODY CHARGED WITH ENFORCING THIS POLICY IS, THEREFORE, A CAMPUS COMMITTEE — THE SEXUAL GRIEVANCE BOARD — MADE UP OF REPRESENTATIVES FROM THE STUDENT AND EMPLOYEE CONSTITUENCIES.**

This policy is intended to reflect the interests of the HWS community and, to the extent applicable, federal and state laws. Members of the Hobart and William Smith community who commit the actions prohibited by this policy will be subject to sanctions from the Colleges and/or may be subject to sanctions in the criminal justice system including, but not limited to: probation, required withdrawal, permanent separation, financial restitution, and/or other sanctions as determined as a result of disciplinary procedures; prosecution in the criminal courts (felony or misdemeanor); prosecution in the civil court; and organizational sanctions including probation and rescinding recognition.
The Vice President for Student Affairs, or a designee, may impose conditions on a student’s continued relationship with the Colleges during the conduct process referenced in this policy. The authority of the Vice President for Human Resources to take personnel action during the investigation and hearing of any complaint of conduct falling within the confines of this policy is not altered by this policy.

The process and procedures described in this policy are distinct from the Disciplinary Process established in the Handbook of Community Standards, except where the Disciplinary Process or certain of its provisions are explicitly referenced and/or incorporated. Discretion in interpreting, implementing, and revising this policy is vested solely in the Colleges.

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in education programs or activities by recipients of federal financial assistance. All sexual harassment complaints and grievances made under Title IX will be handled under this policy. All other Title IX grievances will be handled pursuant to the Title IX Non-Discrimination and Grievance Procedure set forth in the Handbook of Community Standards. The Title IX Coordinator is Jessica Ettell (315-781-3911 or ettell@hws.edu).

Jurisdiction

The jurisdiction of the Colleges will generally include conduct which occurs on Colleges’ premises, which occurs off Colleges’ premises at Colleges-sponsored events, or which adversely affects members of the Colleges’ community or the pursuit of the Colleges’ mission.

Definitions and Sanctions

The phrase sexual misconduct, including sexual harassment, describes varying extremes of discrimination and wrongdoing based on one’s gender, sexuality, and/or sexual orientation. Such behavior destroys the trust and respect that are at the core of our academic mission. Such actions are condemned by the Colleges and in many instances may be violations of New York state and federal laws. Members of the Hobart and William Smith community who commit these acts will be subject to sanctions from the Colleges and/or the criminal justice system. Repeated violations will result in more stringent sanctions; however, as more fully described below, permanent separation of a student or termination of employment or volunteer status may result after a first offense.

Sexual misconduct includes sexual harassment (including dating violence, domestic violence, and stalking), non-consensual sexual contact, non-consensual sexual intercourse, and sexual exploitation.

The range of possible sanctions in cases involving sexual misconduct by students include the sanctions discussed below, as well as all sanctions stated and defined in the Disciplinary Process section of the Handbook of Community Standards.

A. SEXUAL HARASSMENT

Sexual harassment is any gender-based course of conduct that could deprive someone of educational and/or employment access, benefits or opportunities. Sexual harassment is an issue of power — power to control or manipulate people or to determine the nature of the work/learning environment. Sexual harassment, whether intentional or not, has the effect of belittling members of the Colleges and is prohibited.

Verbal or physical conduct of a sexual nature constitutes sexual harassment when:

• Submission to such conduct is made explicitly or implicitly a term or condition of employment or academic status
• Submission to or rejection of such conduct is used as a basis for employment or academic decisions
• Such conduct is sufficiently severe or pervasive and objectively offensive that it has the purpose or effect of unreasonably interfering with an individual’s work or academic experience or performance
• Such conduct is sufficiently severe or pervasive and objectively offensive that it creates an intimidating, hostile, or offensive working, educational, or living environment

Depending on the situation, examples of sexual harassment may include, but are not limited to, the following:

• Persistent and unwelcome sexually-oriented comments (which could include joking and teasing) about gender-specific traits
• Persistent and unnecessary touching, patting, pinching, or brushing against a person’s body or clothing
• Persistent and unwelcome sexual flirtation, advances, or propositions
• Repeated derogatory and offensive statements that are related to gender and/or sexual orientation
• Public displays of material (including but not limited to cartoons, articles, books, images) that are sexually explicit
• Unwanted communications (including but not limited to phone calls, emails, or gestures) that are related to gender, sexual behavior, and/or sexual orientation
• Unwelcome or welcome conduct between individuals in a third party’s work, classroom, or other setting that is required for work or learning purposes, when such conduct creates a negative work environment and/or educational environment for that third party

Dating violence is violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic violence is any felony or misdemeanor crime of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

1. Academic and Intellectual Freedom: The freedom of all members of the Colleges to express openly their ideas and opinions must be maintained. Adherence to the principle of freedom of expression and to the principle of academic freedom requires that all thoughts presented as ideas or the advocacy of ideas in an educational setting, if they are germane to the subject matter being addressed, must be protected. This applies to the ideas of employees and students alike. The maintenance of intellectual freedom through

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1 Bates College, Nondiscrimination and Sexual Harassment Policies and Procedures; Colgate University Sexual Harassment Definition.
2 University of Madison-Wisconsin Policy.
the open expression of ideas will sometimes be unavoidably hurtful. Knowing this to be true, the Colleges aspire to create and maintain an environment where it is understood that derogatory or debasing comments play no meaningful role in the free exchange of ideas, and may inhibit that exchange, thereby denying some individuals full participation in the learning experience.

Within this framework, the Colleges believe that all members of the community have a responsibility to foster an environment of tolerance, civility, awareness, and respect. The integrity of the Colleges rests upon its ability to create and maintain an environment free from intimidation or injury generated by intolerance or harassment.

2. **Sanctions for Sexual Harassment**: Students found responsible for sexual harassment face sanctions ranging from (but not limited to) a warning to social probation (including reprimands, educational activity, and revoking of privileges), suspension (required withdrawal) or permanent separation, depending on the nature of a particular violation and/or an individual student’s overall conduct record at the Colleges.

Employees found responsible for sexual harassment face sanctions ranging from (but not limited to) a warning with a record in the individual’s file to required educational training, work restrictions, suspension without pay, loss or reduction of salary or dismissal, depending on the nature of a particular violation and/or whether or not it is a repeat offense. A first offense can result in immediate termination.

B. **SEXUAL EXPLOITATION**

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute another form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, prostitution, non-consensual video or audio-taping of sexual or other private activity, exceeding the boundaries of consent (e.g., permitting others to hide in a closet and observe consensual sexual activity, videotaping of a person using a bathroom, posting on the Internet a sexually explicit photograph of a former partner), engaging in voyeurism or engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually-transmitted disease (STD) and without informing the other person of such infection.

**Sanctions for Sexual Exploitation**: Students found responsible for sexual exploitation face sanctions ranging from (but not limited to) social probation to required withdrawal, depending on the nature of a particular violation and/or an individual student’s overall conduct record at the Colleges.

Employees found responsible for sexual exploitation face sanctions ranging from (but not limited to) salary reduction to suspension without pay or termination, restrictions on role/position or required educational training, depending on the nature of a particular violation and/or the employee’s overall record of conduct at the Colleges.

C. **NON-CONSENSUAL SEXUAL CONTACT AND SEXUAL INTERCOURSE**

1. Non-consensual sexual contact and non-consensual sexual intercourse include any form of sexual contact that occurs without effective consent. Non-consensual sexual contact and non-consensual sexual intercourse are serious violations of the Colleges’ efforts to maintain a safe, trusting, and respectful campus environment, and are prohibited. In some instances, these forms of sexual misconduct involve violence or threats of violence. Allegations involving violence or threats of violence are taken very seriously and the Colleges apply the severest sanctions in the code of conduct for these violations. In addition to violating the Colleges’ code of conduct, conduct involving violence or threats of violence may be felony offenses.
a) **Non-Consensual Sexual Contact** is:
- any sexual touching (“sexual” referring to breasts, genitals, and buttocks, including disrobing or exposure),
- however slight,
- with any object,
- by a man or woman upon a man or woman,
- by force, threat of force (this includes the use of force or threat of force, coercion, threat of retaliation, or rendering someone incapable of consent through the administration of drugs without the individual’s consent) or without effective consent.

b) **Non-Consensual Sexual Intercourse** is:
- any sexual intercourse (anal, oral or vaginal),
- however slight,
- with any object,
- by a man or woman upon a man or woman,
- by force, threat of force (this includes the use of force or threat of force, coercion, threat of retaliation, or rendering someone incapable of consent through the administration of drugs without the individual’s consent) or without effective consent.

2. **Sanctions for Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse**: Students found responsible for non-consensual sexual contact and/or non-consensual sexual intercourse face sanctions ranging from (but not limited to) social probation to required withdrawal, depending on the nature of a particular violation and/or an individual student’s overall conduct record at the Colleges.

Employees found responsible for non-consensual sexual contact and/or non-consensual sexual intercourse face sanctions ranging from (but not limited to) salary reduction to suspension without pay or termination, depending on the nature of a particular violation and/or the employee’s overall record of conduct at the Colleges.

D. **EFFECTIVE CONSENT**

1. Under New York state law, persons under the age of 17 are incapable of giving consent. For those over the age of 17, the Colleges define effective consent as words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity. Effective consent must be informed, freely and actively given, and mutually understood. Consent is not effective if it results from the use of threats, intimidation, or coercion.\(^3\) Mutually understandable consent is a subjective standard. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with each other.

Consent requires all of the following conditions:

a) all parties are fully conscious;

b) all parties are equally free to act; and

c) all parties have positively and clearly communicated their intent.

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\(^3\) National Center for Higher Education Risk Management.
Stated differently, “consent” is defined as a clear expression of permission to a sexual act. Consent must be freely, voluntarily, and have knowledge of the act involved. Consent will not be implied by silence, mere passivity or from a state of intoxication or unconsciousness. Lack of consent is implied if there is a threat of violence, if violence is in fact used or if the accused has taken advantage of a position of influence that the person has over the victim.

2. **Incapacity:** Persons who have sexual activity with someone whom they know to be — or should know to be — mentally or physically incapacitated (substantially impaired by alcohol or other drug use or unconscious) are in violation of this policy. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint or from the taking of so-called “date rape” drugs. The initiator of sexual contact will be found in violation of this policy if it is determined that he or she knew or should have known that the other person’s judgment was substantially impaired at the time consent was obtained or sexual contact was initiated.

   The consumption of alcohol or drugs severely complicates the question of whether or not a person is “fully conscious.” Drinking oneself to the point of incapacitation or passing out would make one clearly incapable of consent, but if a person has consumed any amount of alcohol, it is still quite possible that he or she is incapable of consent. It would be prudent not to engage in sexual relations with that person. Alcohol or other drug-induced blackouts present an even more difficult problem because a person who has blacked out from over-consumption of alcohol may appear sober, rational, and consenting but in fact is not capable of consent.

   In the rare instance when the initiator of sexual contact had no way of knowing that the other party was incapable of consent, this factor may be taken into account in determining whether this policy has been violated and in determining an appropriate sanction.

3. **Age/Status and Consent:** Given the status of administrators, faculty, and supervisors over students and subordinates, or of upper-class students over first-year students, all members of the Colleges should be cognizant of the power and authority relations that exist in an academic setting, and the potential exploitation that may arise from their positions. Differences in age or status create power differentials that may complicate the ability to demonstrate that any sexual relationship is fully consensual.

4. **Consensual Sexual Activity between Employees and Students:** An ethic of professionalism and respect within the Colleges’ community demands that those with authority not abuse the power with which they are entrusted. Consensual sexual relationships between employees and students may not only have negative repercussions for the individuals involved, but may create an uncomfortable or distrustful environment for others in the community. The power differential complicates the ability to demonstrate that any such relationship is fully consensual. Given the complications associated with these types of relationships, it should be noted that professors could be faced with a personal civil or criminal action as a result of engaging in such relationships.

   Because of the potential for favoritism or other conflicts of interest, the Colleges affirm and uphold a policy which strongly discourages all consensual sexual activity between students and employees, and which prohibits such activity where any supervisory role exists. Therefore,

   • faculty members shall not engage in consensual sexual relationships with students enrolled in their courses; and

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4 Grinnell College Discrimination and Sexual Harassment Policy.
• faculty members or other employees of the Colleges shall not engage in consensual sexual relationships with students under their supervision in such matters as evaluating, advising, coaching or directing a student as part of a school program.5

Such conduct results in relationships that are fundamentally asymmetrical and contradicts both professional ethics and Colleges’ policy. Where such a relationship develops, it is the obligation of the faculty member to bring this matter to the immediate attention of their supervisor, who will take action as necessary to shift class sections or supervisory roles to eliminate conflicts of interest.

5. **Consensual Sexual Activity between Employees:** Consensual sexual relationships between employees of the Colleges do not pose a problem unless the potential for favoritism or other conflict of interest exists or arises. In such complaints (for example, supervisor/subordinate or chair/untenured faculty), the parties involved should disclose their relationship to a supervisor and/or remove themselves from any decisions that may reward or penalize one another.

**Reporting and Resources**

Any member of the Colleges’ community or any visitor or guest who feels he or she has been subjected to conduct in violation of this policy or who feels he or she has been accused of a violation of this policy should report the incident promptly to any of the following designated members of the community with whom he or she feels comfortable:

- Deans of the Colleges
- Campus Safety
- Title IX Coordinator
- Vice President for Human Resources (who is the Employee Sexual Grievance Officer)
- Associate Dean of Students (who is the Student Sexual Grievance Officer)
- His/her supervisor

In the event these individuals receive complaints or concerns, they will report those complaints or concerns to the Colleges’ Vice President for Human Resources (Employee Sexual Grievance Officer) or the Associate Dean of Students (Student Sexual Grievance Officer). If the complainant’s grievance is against one or more of these individuals (the Vice President for Human Resources or the Associate Dean of Students), the complaint will be filed with the President of the Colleges. The President will then forward the complaint to his or her designee.

The Colleges have the right to take action regarding any conduct prohibited by this policy at the appropriate time determined by the Colleges regardless of whether it violates the law and regardless of any action being pursued by the authorities. This policy addresses the institution’s interests and responsibilities, however, the Colleges may refer violations of federal and state laws to the appropriate authorities. All aggrieved persons are entitled, regardless of the outcome of an internal hearing, to pursue the complaint of conduct with the authorities.

The Colleges provide confidential counseling and other support services in complaints of sexual harassment, sexual misconduct, and sexual assault, including acquaintance or stranger rape. The Colleges will support enforcement of orders of protection, no contact orders, and restraining orders upon presentation of a certified copy of any such order issued by a court. Inquiries may be made at the following offices:

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5 Washington University at St. Louis.
Good Faith Reporting and False Allegations

Because of the nature of discrimination (including allegations of sexual and other forms of harassment), such allegations often cannot be substantiated by direct evidence other than the complainant’s own statement. Lack of corroborating evidence should not discourage individuals from considering the filing of a complaint. No action will be taken against an individual who makes a good faith allegation even if after investigating the allegation is not substantiated. However, a person found to have made an allegation or filed a complaint based on an allegation that he/she knew to be false will be subject to disciplinary action and/or sanctions.

Retaliation Prohibited

Retaliation against a person for making a report under this policy, for filing a complaint, for supporting a party to a complaint or for participating in an investigation of a complaint is strictly prohibited and will not be tolerated. Retaliation is any action taken in consequence or retribution for making a complaint or participating in a complaint. Retaliation is a serious offense that can lead to disciplinary action and/or sanctions independent of the merits of the original misconduct allegation.

Sexual Grievance Board and Hearing Panels

Sexual Grievance Board: There is only one campus board that hears grievances or complaints related to sexual misconduct: the Sexual Grievance Board (SGB). All sexual harassment complaints and grievances made under Title IX will be handled under this policy. All other Title IX grievances will be handled pursuant to the Title IX Non-Discrimination and Grievance Procedure set forth in the Handbook of Community Standards. The Title IX Coordinator is Jessica Ettell (315-781-3911 or ettell@hws.edu).

Sexual Grievance Officers (SGOs): The Vice President for Human Resources is designated as the Employee Sexual Grievance Officer (ESGO) and the Associate Dean of Students will serve as the Student Sexual Grievance Officer (SSGO); both will serve as Chairs of the Sexual Grievance Board. In the absence of the Vice President for Human Resources or the Associate Dean of Students, the President may designate a Deputy SGO. The Chairs keep a summary record of all appeals and decisions of the SGB, its panel, and its members relevant to the Sexual Harassment Policy. The Chairs shall also produce an annual report of the Board’s activities, which shall be maintained by the Chairs and shall be used, in part, to determine the effectiveness of the policy and the SGB’s activities.

Membership: The SGB has fourteen (14) members: four elected students (two from each of the respective student bodies), four elected faculty members (two male and two female, at least two of whom are tenured), four appointed staff members, and the Sexual Grievance Officers. Two student, staff, and faculty alternates may also be elected at the discretion of their respective bodies. To the extent possible, the membership of this group will be representative of the diversity of our community.

Terms: Student members of the SGB serve for two years and must have completed their first year before being eligible to serve on the SGB. Faculty and staff members of the SGB will typically serve for
three-year terms and must have completed at least one year of employment at the Colleges before serving. Typically, at least one-third of the SGB will be elected or re-elected annually.

The SGB is comprised of two panels: the Employee Grievance Panel (EGP) and the Student Grievance Panel (SGP). Proceedings conducted by both panels are confidential. Panel members may not discuss the proceedings with any person not on SGB or not directly involved with the case.

**Employee Grievance Panel (EGP)**

The EGP hears complaints brought against a member of the faculty and/or staff (staff includes salaried and hourly). The EGP will consist of three (3) SGB members, selected as complaints present themselves: the SSGO/Associate Dean of Students (the Chair of the Panel), one (1) staff member, and one (1) faculty member from the SGB. The ESGO will serve as a non-voting advisor to the Panel and will attend the hearing. The Chair may recess the hearing at any time.

At the discretion of the Vice President for Student Affairs and/or the Vice President for Human Resources, the composition of the EGP may be altered to meet the best interests of the parties involved with a particular complaint. This includes but is not limited to appointing appropriately trained personnel (staff or faculty) to serve on a panel, altering the composition of a given panel, or altering the number of faculty or staff assigned to a given panel.

**Student Grievance Panel (SGP)**

The SGP hears complaints brought against a Hobart and/or William Smith student. The SGP will consist of five (5) Board members, selected as complaints present themselves: the ESGO/Vice President for Human Resources (the Chair of the Panel), two (2) students (a student from Hobart and a student from William Smith) and two (2) employee members consisting of one faculty member and one staff member. The SSGO will serve as a non-voting advisor to the Panel and will attend the hearing. The Chair may recess the hearing at any time.

At the discretion of the Vice President for Student Affairs and/or the Vice President for Human Resources, the composition of the SGP may be altered to meet the best interests of the parties involved with a particular complaint. This includes but is not limited to appointing appropriately trained personnel (staff or faculty) to serve on a panel, altering the composition of a given panel, or altering the number of students, faculty or staff assigned to a given panel.

**Notification of Hearing Panel Members:** The complainant and the respondent shall be informed of the names of the members of the hearing panel scheduled to hear the complaint at least three (3) business days prior to the hearing. The complainant and/or the respondent may object to the membership of the hearing panel only for reasons of official or personal conflict. Objections shall be submitted in writing to the SGO not less than one business day after receiving the names of the hearing panel members. The relevant SGO shall make the final determination about panel membership.

**Conflicts of Interest:** In every complaint, each SGB member is expected to identify if he or she has a conflict of interest, and in such event will not be appointed to the Panel that hears the complaint. A respondent or complainant may file an objection with the SGO and request a substitution if he or she believes that an appointed member of the Panel has a conflict of interest. In the event the objection is sustained, the SGB will make a substitute appointment. A majority of the SGB shall have sole authority to determine whether a panel member should not be appointed to hear a complaint.
Resolution of a Complaint

The Colleges encourage prompt reporting of all incidents of sexual misconduct. All complaints and incident reports will be handled as swiftly as possible given the nature of the complaint and will be treated as confidentially as possible depending upon the nature of the complaint. The Colleges believe that complaints are best adjudicated in a time frame that permits prompt, accurate reporting and investigation of all information.

Informal Process: Informal problem-solving approaches are available for the resolution of some sexual misconduct complaints. Informal approaches may include, but are not limited to, discussion of the claim with the alleged offender individually or with the applicable supervisor, or mediation. Mediation may take place with individuals designated by the Colleges. With the approval of the parties involved, the process may include the Chaplain and/or the Vice President for Human Resources. The complainant and respondent do not have to be in the presence of each other during the mediation process. At any time during the process or in the event that informal resolution is not achieved, either the complainant or respondent may request that the complaint proceed to formal resolution.

The designated individual handling the informal process will prepare a summary memorandum to document the process. For staff, a copy of the memorandum will be retained in the Office of Human Resources; for faculty, a copy of the memorandum will be reviewed and retained in the Provost’s Office; for students, a copy of the memorandum will be maintained in the Office(s) of the Dean(s) of the student(s) involved. While the memorandum will not be part of an employee and faculty personnel file unless the complaint or a subsequent complaint results in a formal process and disposition, in all instances, the memorandum will be available for review and consideration in the event the Vice President for Human Resources, Provost, and/or SGB deem it necessary in a subsequent matter before it. The memorandum will be a part of the file in the Dean’s Office of the student(s) involved and will be available for review and consideration in the event the Dean and/or SGB deem it necessary in a subsequent matter before it.

In most instances, the informal process will not be utilized if physical contact is involved in the complaint. In all instances, mediation will not be utilized to resolve sexual assault complaints.

Administrative Process (Student Respondent Only): The administrative process shall include an informational meeting with the SSGO, review of additional information and/or witnesses as deemed appropriate by the SSGO (which may include additional meetings with the complainant and/or respondent), and a meeting at which the findings of responsibility and, if necessary sanction(s), will be explained.

As a component of the administrative process, the SSGO may direct Campus Safety or another Colleges’ representative to conduct an investigation of the incident in question.

In the sole discretion of the SSGO, the administrative process may be terminated at any point and the matter may be referred to adjudication under the formal process described below. The Vice President for Student Affairs may elect to hear any case as an administrative hearing and impose any sanction from warning to permanent separation. The Colleges reserve the right to require that any allegation be resolved through the formal complaint process.

Administrative process (Employee Respondent Only): At the discretion of the ESGO, complaints of sexual harassment meeting one or more of the following criteria may be directed to an administrative hearing: 1) there is no dispute over the facts of the complaint and 2) the ESGO concludes that the alleged behavior does not constitute a threat to the well-being and/or safety of members of the Colleges’ community.
The administrative process shall include an informational meeting with the ESGO, review of additional information and/or witnesses as deemed appropriate by the ESGO (which may include additional meetings with the complainant and/or respondent), and a meeting at which the findings of responsibility and, if necessary sanctions(s), will be explained.

As a component of the administrative process, the ESGO may direct Campus Safety to conduct an investigation of the incident in question.

In the sole discretion of the ESGO, the administrative process may be terminated at any point and the matter may be referred to adjudication under the formal process described below. **The Colleges reserve the right to require that any allegation be resolved through the formal complaint process.**

**Formal Process:** The formal complaint procedures require a signed statement of complaint or grievance specifying the nature of the claim. The Colleges reserve the right to require that any complaint be resolved through the formal complaint process even if a written statement of complaint or grievance is not prepared.

Statements of complaint or grievances made by any member of the Colleges’ community (faculty, staff, volunteer or student) against an **employee** must be submitted to the ESGO/Vice President for Human Resources. Statements of complaint or grievances made by any member of the Colleges’ community (faculty, staff, volunteer or student) against a **student** must be submitted to the SSGO/Associate Dean of Students. Any complaint involving a grievance against the ESGO/Vice President for Human Resources or the SSGO/Associate Dean of Students should be filed with the President of the Colleges and will be forwarded to his or her designee.

The appropriate panel — EGP or SGP — shall convene as quickly as possible following the receipt of a formal complaint and shall strive to convene within five (5) calendar days of receipt of a formal complaint. The SSGO or ESGO may alter the schedule to meet the needs of any party involved or depending on the nature or complexity of the complaint.

Upon receipt of the complaint, the ESGO or the SSGO will conduct a fact finding that may include an investigation by Campus Safety (or another designee), which would include interviews and other protocols used by Campus Safety or the assigned investigator.

For complaints involving students, the Panel will meet individually with the complainant, respondent(s), and any individuals the Panel considers likely to have relevant knowledge or information related to the complaint. Before the Panel commences its meetings, the complainant and respondent will also be permitted to provide a list of individuals with whom they believe the Panel should meet. The Panel will consider such requests and meet with such individuals at its discretion. The Panel may not compel any individual to comply with its request to meet.

Legal counsel for students may not be present for any part of the Panel’s meetings with the parties or witnesses. The Colleges will offer both the complainant and the respondent(s) the support of a trained process advisor/support person from the Colleges to explain the policy, procedures, rules and protocols and to assist them in the preparation of their complaints before a hearing is held. This individual shall not address the hearing panel or question witnesses.

At the conclusion of the Panel’s individual meetings with the parties and witnesses, and before its deliberations, the Panel will provide the complainant and respondent(s) an oral summary of the hearing, including a list of the individuals with whom the Panel has met and new or additional information that the Chair, in conjunction with the other panelists, has concluded is relevant to the Panel’s deliberations. At this meeting, the complainant and respondent(s) will have an opportunity to identify any other individuals with
whom he or she requests the Panel meet. Again, the Panel retains discretion to determine with whom it will meet to make its determination.

For complaints involving employees, the Panel will follow the established hearing procedures, which are provided to the parties at the beginning of the hearing.

Following the hearing, on the basis of its examination of the evidence and using the preponderance of the evidence standard (whether it is more likely than not that the actions in question are violations of this policy), the Panel will put its findings of fact in writing and will determine the appropriate disciplinary action and/or sanctions. Any disciplinary action or sanctions taken against an employee or a student will be put in writing and will be included in the relevant employee file or maintained in the student’s file in the Office(s) of the Dean(s) of the involved student(s). The Vice President for Student Affairs or the Vice President for Human Resources will impose any sanctions determined by the Panel.

No student shall be subjected to a hearing more than once for the same incident arising from a single complaint, unless an appeal has been granted.

Unless an appeal is granted (as described below), the decision of the EGP or SGP shall be final.

**Appeals**

The respondent and/or the complainant may appeal the Panel’s disposition of the complaint.

Requests for appeals of decisions of a hearing panel are directed to the appropriate SGO. Requests for appeals shall be made in writing within two (2) business days of the written decision.

In the written appeal, it shall be the responsibility of the student or employee pursuing the appeal to provide the evidence of one or more of the following grounds for appeal:

- a. the original hearing was not conducted in conformity with prescribed procedures, and the deviation was material;
- b. the decision did not follow from information presented to the Panel; or
- c. the existence of new relevant facts, sufficient to alter the decision, not brought out in the original hearing, which could not have been known to or available to the appellant at the time of the original hearing.

*Dissatisfaction with the decision is not grounds for an appeal.*

After review of the grounds for the appeal in an appeal involving a student respondent, the Vice President for Student Affairs, in his or her sole discretion, may: (1) deny the appeal thereby affirming the decision of the Panel; (2) remand the complaint to the original hearing panel for further consideration; (3) direct the complaint to a new hearing panel; or (4) alter the sanction and/or the finding of responsibility. Decisions made during the appeal process are final.

The Vice President for Human Resources will hear and decide appeals involving an employee. Nothing in this policy shall supersede any grievance procedures in the Faculty Handbook or the Employee Handbook.
Records

In connection with records regarding student matters, the Office(s) of the Dean(s) of the student(s) involved will maintain disciplinary records. Notations of permanent separation and required withdrawal appear on the student’s permanent transcript and, therefore, become a permanent part of that student’s file. Disciplinary files are confidential, however, disciplinary history is provided to the appropriate judicial body if subsequent violations occur. Students may inspect their educational records at reasonable times in accordance with the Colleges’ Educational Records Policy. These records may also be inspected by Colleges’ officials and will be released only in accordance with the Colleges’ Educational Records Policy.

In addition to any investigation documents, student records, and personnel records that the Colleges determine are necessary to maintain, for matters involving employees, summary records of all complaints are kept without identifying characteristics in the Office of the Director of Human Resources. For matters involving students, summary records of all complaints are kept without identifying characteristics in the Office(s) of the Dean(s) of the student(s) involved.

Interpretation and Revision

Any question of interpretation regarding the Sexual Misconduct Policy shall be referred to the SGOs or designee for final interpretation. A review of the Sexual Misconduct Policy shall be coordinated by the SGOs whenever deemed appropriate or necessary by the Colleges.

IN VOLUNTARY WITHDRAWAL AND READMISSION FOR HEALTH REASONS:

I. POLICY

A. Hobart and William Smith Colleges reserve the right to request or require students to withdraw from the institution when, as a result of their physical, psychological, or emotional health, the student engages or threatens to engage in behavior that: (1) poses a direct threat of harm to others, or (2) is disruptive to the extent that it either causes emotional psychological, or physical distress to other members of the campus community, or substantially impedes the ability of other students, faculty or staff to participate in the educational programs or employment opportunities offered by the Colleges.

B. Students may also be requested or required to withdraw from the Colleges if they refuse to cooperate with recommended procedures that allow for an accurate assessment of the student’s physical or psychological functioning.

C. When the student’s physical or psychological condition is likely to deteriorate to the point of permanent disability, disfigurement, impairment or dysfunction without treatment, the student may be requested or required to withdraw from the colleges if he or she refuses to seek appropriate treatment.

D. Withdrawal may also be requested or required if a student’s physical or psychological condition is of sufficient severity to substantially exceed the normal limits of the Colleges’ or locally available treatment resources and whose condition will deteriorate (as in above) without additional resources.

E. Students who withdraw or are withdrawn from the Colleges by the Vice President of Student Affairs or designee pursuant to this policy may be considered for readmission following a determination by the Vice President or designee that the behaviors requiring withdrawal are, for the most part, eliminated and the substantially improved condition maintained stable for three consecutive months as documented by community mental health clinician/service provider sufficiently in advance of their application for
readmission. The determination of readmission is made in conjunction with the Health Review Team which is chaired by the Vice President or designee. In making the determination on readmission, information from campus professionals and relevant material submitted by the petitioning student will be considered.

II. PROCEDURES

A. Emergency Interim Withdrawal

The Vice President of Student Affairs or designee may impose an interim withdrawal for the following three reasons:
1. To ensure the safety and well-being of members of the Colleges community or to preserve Colleges property;
2. To ensure a student’s own safety or well being; or
3. If a student poses a threat of disruption or interference with the normal operations of the Colleges.

Every attempt will be made by the Vice President of Student Affairs or designee 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.

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

The interim withdrawal or altered privileges shall remain in effect until the Vice President or designee determines that the reason for imposing the interim withdrawal of privileges no longer exists.

B. Guidelines for Withdrawal

The Vice President of Student Affairs or designee should be notified whenever a student appears to have a serious physical, psychological, or emotional disorder which offers reasonable cause to believe she or he may be a danger to self or others, or may disrupt proper activities of the college community and its members.

The Vice President of Student Affairs or designee will contact the student and seek voluntary resolution of the situation through investigation and review.

Depending upon circumstances, an immediate professional assessment of the student’s condition by the appropriate medical or mental health specialists, or both, of the Colleges or other appropriate resources may be required, including a report of the resulting findings to the Vice President of Student Affairs or designee. Normally, the assessment is conducted by the Health Review Team at the request of the Vice President or her or his designate.

The Health Review Team is comprised of 3 members. Team members include the Director of the Center for Counseling and Student Wellness or designee, the College’s Physician or designee, and the Vice President of Student Affairs or designee, who serves as the chairperson and is responsible for all final decisions. In the absence of any principal or their respectively appointed designee, a designate may be appointed by the Vice President of Student Affairs or his/her designee to serve in the deliberations of the Health Review Team. The Vice President may elect to consult with additional Colleges employees.

When conditions allow for the full investigation and appraisal of the student’s health status, resolution of the situation will be sought with the student’s cooperation if at all possible. Voluntary withdrawals are encouraged to maximize the participation of the student and his or her family in this process. If a student
declines voluntary withdrawal, she or he may be separated from the Colleges without consent by the Vice President.

Students who are separated from the Colleges for reasons of health as elaborated above will be on leave of absence until such time as the student becomes able to resume activities as a student.

Students who withdraw or are separated for reasons of health may be eligible for tuition, residence hall rental, dining services, and financial aid refunds in accordance with existing policies of the colleges.

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

C. Guidelines for Readmission

Authorization to resume active student status may be granted by the Vice President of Student Affairs or designee after consideration of the individual’s progress and current condition. The student may be considered for readmission at the beginning of the semester following that of her or his withdrawal.

Ordinarily, when a student wishes to resume her or his studies, the Vice President should be notified at least two months in advance of the desired period of readmission.

Eligibility for readmission will be contingent on a letter or letters from one or all treatment source or sources, assessment and recommendations by the Health Review Team and other information as may be needed for final determination by the Vice President or designee.

Readmission may include stipulations concerning credit hours rostered, extracurricular activities, place of residence, or other conditions as may be judged to be in the best interest of the student and the institution. Recommendations or requirements may include regular contact with a health care provider or team of provider and timely adherence to subsequent recommendations such provider(s). Failure of the student to cooperate in these procedures governing withdrawal and reinstatement is grounds for continued or renewal of separation from the Colleges.

D. Grievances

If a student disagrees with a decision regarding mandatory leave or readmission or feels her or his situation does not fall within this policy, the student may appeal to the Coordinator of the Colleges’ response to Section 504 of the Rehabilitation Act, who will make a final decision. A grievance must be made in writing within 5 days of the decision. An emergency interim withdrawal may not be appealed.

E. Guidelines for Health Review Team

Referrals to the Vice President of Student Affairs or designee may originate from the Hobart or William Smith Dean’s Offices, the Director of the Center for Counseling and Student Wellness, the Director of the Health Center, the Colleges’ Physician, or from any other Colleges staff member who serves in an emergency response role.

Students who agree or are required to undergo an assessment will be scheduled to participate in a general review of status by the Health Review Team. This normally includes a personal interview of the student by
the clinicians on the committee. Additional assessments including psychological testing, medical examination, or referral for psychiatric consultation may be required.

The Health Review Team will receive all medical, psychological or observational reports submitted with regard to or on behalf of the student as may pertain to determining health status. Treatment and evaluative reports should include information pertaining to diagnosis, treatment, and prognosis.

The Health Review Team will convene for a group meeting after all personal interviews and other possible assessments are conducted. Recommendations as to case disposition with regard to withdrawal or readmission, or both, for reasons of health are made to the Vice President. The Vice President makes the final decision. The findings submitted to the Vice President are held in confidence and are not entered on the student’s academic record.

**STUDENTS WITH DISABILITIES**

Hobart and William Smith Colleges, their faculty and professional staff, seek to provide all students full access to all educational programs, activities, and facilities as well as to offer students the opportunity to achieve their full academic potential. In seeking to meet these commitments, we recognize that students differ in their needs and learning styles. The faculty and staff are prepared, therefore, to take appropriate and reasonable action to ensure equitable participation in and integration of students with disabilities into all programs and activities of the Colleges.

Students whose learning, sensory, physical, or emotional disabilities have been diagnosed by appropriately licensed professionals, and who submit current supporting documentation to the disability specialist in the Colleges’ Center for Teaching and Learning, shall have access to all appropriate services and accommodations that can be reasonably provided by the Colleges.

The Center for Teaching and Learning (CTL) and its disability specialist will coordinate those services and accommodations.

Hobart and William Smith Colleges fully support and seek to act in full compliance with Section 504 of the 1973 Rehabilitation Act and the 1990 Americans with Disabilities Act.

**Policies and Procedures for Students With Disabilities**

**Mission Statement**

The Center for Teaching and Learning seeks to offer Hobart and William Smith Colleges students the opportunity to achieve their full academic potential and to provide students with access to all educational programs, activities, and facilities. 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 all programs and activities of the Colleges.

**Goals**

· Provide appropriate and reasonable accommodations and support services to students with disabilities
· Encourage and assist students to develop greater independence
· Increase faculty and professional staff understanding of the rights and needs of students with disabilities
· Provide an environment that is welcoming and safe to students with disabilities
· Assist the Colleges in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA)
Rights and Responsibilities

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. These federal laws protect students from discrimination based on actual or perceived disability. They are also entitled to access to all programs and activities of the Colleges if they are otherwise qualified to participate.

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

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

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

Policies and Procedures for Services

Application for Services. Students are not obligated to self-disclose a disability. However, self-disclosure is required when the student anticipates a need for accommodations or services relating to a disability. When a student anticipates such a need, they must identify themselves to the Coordinator of Disability Services in the Center for Teaching and Learning, register for services, and provide written documentation in a timely manner. A letter, phone call, or personal interview with the disability specialist will initiate the registration process. Also, all incoming first-year students receive a Disability Disclosure Form in their Orientation packet. This form may be used as a means of self-disclosing a disability and stating expected accommodations process before reaching campus. Students completing the Self-Disclosure Form will be contacted by the CTL which will initiate the documentation process.

Students not choosing this means of self-disclosure may initiate the process themselves in person or in writing to the Center. A minimum of two weeks is required for processing any new request for accommodations or services. If a student chooses not to self-disclose a disability, retroactive accommodations cannot be made. However, if the student feels there is strong justification for a retroactive accommodation, she or he may make a formal request in writing to the Coordinator of Disability Services in the CTL, Vice President for Student Affairs or designee, or the faculty Committee on Standards.

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

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

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

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

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

Colleges and universities, on the other hand, are obligated to abide by the Americans with Disabilities Act (ADA), in particular, and Section 504 of the Rehabilitation Act of 1973. Both of these are civil rights laws that prohibit discrimination based on disability. The provision of services and accommodations are ways in which we can assure equal access to a college education and non-discrimination to students with disabilities. Colleges and universities are not required to provide a free and appropriate public education. Educational plans and special education services are not mandated. We must, however, provide services and accommodations — linked to equal access — that are supported by professional evaluations. For these differences, IEPs and 504 Plans are not automatically accepted.

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

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

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

Typical Accommodations:

· Extended time for all timed examinations
· Alternate site for examinations
· Use of word processor for written examinations
· Permission to tape record lectures
· Note takers

An accommodation will not be authorized under the following conditions:
· when it is not supported by clear, supportive documentary evidence
· when it may require a substantial alteration to a fundamental element of the curriculum or academic program
· when it may require a substantial alteration to a co-curricular or extra-curricular activity, or poses a direct threat to the health or safety of others
· when it poses an undue financial or administrative burden to the Colleges
· when it falls under the definition of a personal service.

Confidentiality
The Americans with Disabilities Act and the Family Education Rights and Privacy Act (FERPA) have established guidelines for confidentiality of all disability-related information. Documentation and any communication related to a student’s disability is maintained in strict confidentiality. This information is stored in the Center for Teaching and Learning and is released by CTL only on a need-to-know basis, and with a consent form authorized by the student, except in cases required by law. All records are archived for seven years following the student’s graduation or last date of enrollment at the Colleges, after which all records are destroyed. A list of records destroyed is maintained on a permanent basis. Information is
disclosed only when necessary to fulfill the Colleges’ obligation to provide equal access under ADA and Section 504 of the Rehabilitation Act.

**Accommodation Disputes and ADA Grievance Procedure**

**Informal Dispute Resolution Process.** Students may appeal a decision regarding an accommodation or service. This appeal must be communicated to the Coordinator of Disability Services in the Center for Teaching and Learning within 14 days of the incident. A meeting will be arranged within seven days including the student, Coordinator of Disability Services in the Center, and when relevant, appropriate faculty and/or administrator to discuss the dispute. During the appeal process, the existing accommodations will continue to be provided. Mutual consent will close the dispute process. If the dispute cannot be resolved in a manner agreeable to all parties, a formal grievance may be filed.

**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.

**EDUCATIONAL RECORDS POLICY**

The maintenance and disclosure of educational records are regulated by the Family Educational Rights and Privacy Act (FERPA). Educational records generally include files, documents, and material in whatever medium (handwriting, print, tapes, film, microfilm, microfiche) maintained by the Colleges, which are directly related to students and from which students can be individually identified.

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 or another such person acting temporarily in place of the maker; (2) Records of a law enforcement unit of the institution, which are maintained apart from other institutional records, 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. (Records of individuals in attendance at the Colleges who are employed as a result of their status as students are education records, e.g. work-study.); (4) Records relating to a student 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; (5) Records of students that contain only information about an individual after he or she is no longer a student.

Educational records are maintained by the dean’s and registrar’s offices. In addition, the Office of the Registrar has transcripts and records that explain transcript notations. The Office of Intercultural Affairs keeps grade reports, transcripts, applications, letters of recommendation, and College Board scores of enrolled students participating in specific programs. The Center for Teaching and Learning, departmental offices, and faculty advisers will usually have some student records appropriate to the carrying out of their various institutional responsibilities. The Office of Residential Education files contain records of any judicial processes regarding the residence halls. Career Services maintains files of letters of recommendation prepared by students and alumni/ae to which they may or may not waive the right of access.
Files maintained by the dean’s offices are for the use of members of the dean’s staffs and contain educational records including: high school academic records, recommendations solicited for admission and counseling purposes, grade reports, all correspondence to or from the student, housing information, extracurricular activity lists, transcript related information (e.g., faculty notes about failures and incompletes, evaluations of course equivalents, etc.), dean’s excuses from classes and examinations, copies of recommendations made by a dean on behalf of a student, records of conversations between deans or Vice President for Student Affairs or designee and students, and a list of those who have accessed the student’s file according to the third item below. A student has the right to inspect the educational records in his or her dean’s office file or any of the offices listed above, with the following exceptions: any materials written in confidence prior to January 1, 1975; financial information provided by parents or guardians; any recommendations written after January 1, 1975, to which the student has waived (in writing) the right of access.

No educational records are released from any of the offices above to third parties except at the written request of the student or as required or permitted by law. Directory information (name, address, telephone, date of birth, place of birth, major faculty adviser, activities list, dates of attendance, degrees and awards, height and weight of athletes, and most recent school attended) may be released at the discretion of Colleges officials. However, students are given the opportunity during the course-registration process to check the accuracy of any directory information maintained by the Colleges and to restrict the right of the Colleges to release part or all of the directory information listed. According to federal law, educational records may be released under specified circumstances, without the permission of the student, to certain government offices, accrediting agencies, and the College Entrance Examination Board. Educational records may be shown without the written consent of the student to those within the Colleges who have a legitimate educational interest. Therefore, members of the Committee on Standards and faculty advisers may see the same materials (but no others) that are open to the inspection of students. In the case of students applying to or admitted to the Honors program, transcripts are given to the faculty member of the Honors Committee and the Honors adviser. Finally, the director of financial aid has access to educational records upon which financial-aid decisions are based.

To inspect his or her educational records, a student should go to the appropriate office and request access to his or her record. Educational records, with the exceptions noted above, will be shown to the student within a reasonable period of time (in most cases, immediately) not to exceed 45 days, after all restricted records have been removed. There is no charge for this service; however, if a student wishes a copy of any records, a fee to cover the cost of copying will be charged.

If a student wants to amend any portion of his or her file, he or she should request the change in writing to the administrator charged with keeping the record in question (the accuracy of recording grades may be challenged, but not the legitimacy of the grade per se.) If the student’s request is denied, he or she will be told that he or she has 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 Student Affairs or designee. At the hearing, the student has the right to be represented by any member of the Colleges community. If the decision of the Committee on Standards is negative, the Vice President for Student Affairs or designee will inform the student of his or her right to insert a comment about or an explanation of the record in question in his or her own file; the Vice President for Student Affairs or designee will also inform the student of his or her 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, changes will be made promptly, and the student will be given a copy of the revised record.

All of the foregoing applies only to educational records (i.e., does not apply to medical, psychological or alumni/ae records, which are strictly confidential and are not available to the inspection of students, alumni/ae, or third parties inside or outside the Colleges) and conforms to the final rule on the privacy of parents and students concerning education records, published by the Department of Health, Education and Welfare in the \textit{Federal Register}, Vol. 41, No. 11.

A student’s official college transcript is a record of most of the important academic events in his or her college career. It contains a list of all courses taken, with semesters taken and grades received. It records any off-campus activities that student considers pertinent to his or her overall academic development that have been approved by the Committee on Standards. It also records the academic major and any academic prizes, awards, and other special achievements, such as election to Phi Beta Kappa, departmental honors, or Latin praise at Commencement.

\textbf{Guide To Release of Student Information}

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

1. **Directory Information.** 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 the Colleges at any time to any persons or agencies deemed to have a legitimate interest. Students have the right to limit disclosure of directory information. Such requests must be filed annually (by the third week of fall semester classes) or through the student self-service system via the \textit{HWS PeopleSoft Website}. (See "Campus Personal Information" and click on "FERPA Restrictions")

2. **Restricted Information** (See availability of restricted information)
   - Student ID numbers (SSN or College ID)
   - Courses elected
   - Schedule of classes
   - Grades, academic evaluations, GPA, number of courses completed
   - Academic transcripts
   - Information not specified as "Directory Information"
**AVAILABILITY OF RESTRICTED INFORMATION.** Educational records are considered confidential and may be viewed by the student. They cannot be released to a third party without written consent from the student indicating which records are to be released, to whom and for what purpose. This includes copies of grade reports and various other documents. There are, however, exceptions to this release policy. The colleges may disclose educational records without written consent of students to the following:

- personnel within the colleges determined to have a legitimate educational interest,
- officials of other institutions in which the student seeks to enroll, on 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 to develop, validate, and 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 that student's status as a dependent (parents must show proof of dependency by submitting a copy of their income tax statement). Parents of a student who is not a dependent in accordance with IRS definitions have no access rights to the college educational records without student's written consent,
- in compliance with judicial orders or lawful subpoenas. The student must be notified of such lawful order or subpoena before the records are released (unless otherwise specified according to the provisions outlined in the USA Patriot Act),
- 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.

**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 the Colleges receive 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.

2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading.

   Students may ask the Colleges to amend a record that they believe is inaccurate or misleading. They should write the Colleges' official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

   If the Colleges decide not to amend the record as requested by the student, the Colleges will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. 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 FERPA authorizes disclosure without consent.
One exception which permits disclosure without consent is disclosure to school official with legitimate educational interests. A school official is a person employed by the Colleges in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the colleges has contracted (Such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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
600 Independence Avenue, SW
Washington, DC 20202-4605

ACADEMIC POLICIES

ACADEMIC CLIMATE
Each student at the Colleges is expected to help create a climate in the residence halls and the classrooms that nurtures and sustains academic inquiry and commitment. All students have the responsibility to respect the need for quiet, privacy, and space conducive to study. Each student should contribute to a lively and engaging intellectual environment for our community of learners.

PRINCIPLE OF ACADEMIC INTEGRITY
The faculty of Hobart and William Smith Colleges, recognizing the responsibility of the individual student for his or her own education, assumes honesty and integrity in all academic work at the Colleges. This assumption is the foundation of all intellectual efforts and lies at the heart of this community. In matriculating at the Colleges, each student accepts the responsibility to carry out all academic work with complete honesty and integrity and supports the application of this principle to others.

Categories covered by this principle include, but are not limited to, the following:

- **Examinations:** Giving or receiving assistance during an examination or quiz violates this principle.
- **Papers:** The adoption or reproduction of ideas, words, or statements of another person as one’s own, without due acknowledgment, is considered plagiarism and violates this principle.
- **Library Use:** Failure to sign for materials taken from the library 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.
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 penalty.

**General Academic Regulations**

1) **Advanced Placement:** Admitted students who have achieved a score of four or five on an advanced placement test receive course credit toward graduation to a maximum of seven course units. In most programs, advanced placement examinations covering a semester’s work receive one course credit; examinations covering a full year’s work are given two course credits. Advanced placement scores of four or five are also considered for advanced placement by the appropriate department or program at Hobart and William Smith Colleges.

2) **Course Load:** Effective for Spring Semester 2013, 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 must petition their academic advisor and dean to take three or five courses in any particular semester. Students not in good academic standing must petition the Committee on Standards with an academic recovery plan to make up courses. The recovery plan should be developed in consultation with and approved by their academic advisor and dean. Course loads above five full-credit courses must be approved by the Committee on Standards. Unusual Course Load Forms are available from the deans’ offices. 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. Flexible course load registration extends from the beginning of registration to the end of the normal add-drop period.

Good academic standing will be defined as maintenance of a minimum GPA of 2.0 (C), while accruing 7 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; students will be charged more for more than five full-credit courses.

3) **Full-Credit Requirement:** A minimum of 30 of the required 32 courses presented in satisfaction of the Colleges’ graduation requirement must be in full-credit courses.

4) **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 grade by the following deadlines. 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 or the “I” grade becomes a grade of “F”. 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 of classes for the fall semester or the “I” grade becomes a grade of “F”. 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.
5) **Course Withdrawals:** There are two kinds of course withdrawals. The voluntary course withdrawal (see “a” below) is available to students twice in their career. The first course withdrawal may be used during the first two years and the second during the second two years, and at the discretion of the student. The authorized course withdrawal (see “b” below) is available to students only under exceptional circumstances beyond their control. Changes of grade once submitted are described in point 7 below:

a) Before the end of the 11th week of a semester, a student may petition his or her dean for withdrawal from one course during his or her first two years, and another course during his or her second two years. The appropriate Voluntary Course Withdrawal Form must be filed (including all required signatures) by the student at the dean’s office by noon on Friday of the 11th week of the semester. Approved voluntary withdrawals are communicated immediately to the student’s adviser and instructor.

b) With the exception of the two unchallenged voluntary 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. The Committee makes its recommendation to the dean in consultation with the student’s dean and others it deems appropriate. Medical or other appropriate documentation is normally required. Approved withdrawals are communicated immediately to the student’s adviser and instructor.

Withdrawals under this policy carry no penalty, but do not diminish the minimum requirement for the degree. A reduction in course load carries no reduction in tuition.

6) **Unauthorized Withdrawals:** A student who withdraws from a course without official permission receives the grade of “F” on his or her permanent transcript.

7) **Grades:** Students’ transcripts include a record of each course taken at the Colleges. Students may choose between a letter-grade and a “CR/DCR/NC” grading option in many of the courses taken. This choice is indicated at the time of registration for the course but may be changed with the signed approval of the advisor at any point prior to the end of the 11th week of the semester. The appropriate Change of Grading Option Form must be filed by the student at the registrar’s office by the end of the 11th week of the semester.

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

8) **Grade Changes:** No student is permitted to submit any academic work, examination, or revision of previously submitted work with the intent of affecting a grade change after a final grade has been entered by the instructor with the Registrar’s Office. An instructor may change a grade only when a computational error exists. Such changes must be submitted to the Dean’s Office for approval.

9) **Academic Deficiency:** Students are expected to make normal progress toward the degree. A student whose cumulative grade point average (GPA) falls below 2.0 (C) at any point is reviewed.
a) **Academic Probation** is the likely outcome of a first review when a student’s cumulative grade point average is lower than 2.0 (C). Students placed on academic probation are expected to be in good standing (2.0 GPA) within two semesters.

b) **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.

c) **Required Withdrawal—Academic** is the likely result 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 required to withdraw when he or she fails to gain good standing (2.0 GPA) after being on continued academic probation, or if he or she has earned less than 1.0 for the semester, regardless of the student’s cumulative average.

d) A student who has been required to withdraw or has been suspended may not make progress toward the degree.

10) **Permanent Separation:** This is the result of a second required withdrawal.

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

12) **Senior Standing:** All students must have passed at least 22 courses to enter their senior year.

13) **Residency Restrictions:** All requirements for the degree must be met by the end of the 10th semester in residence.

14) **Transfer Credits:**

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

   b) Distance learning courses cannot be transferred.

   c) Only courses of three or more credit hours are eligible for transfer credit.

   d) Courses must be taken at an accredited institution and must be considered by the faculty at Hobart & William Smith to be in the liberal arts.

   e) Students may transfer a maximum of 16 courses.
f) A.P. credits cannot exceed 7. Combined A.P. and transfer credits cannot exceed 16.

g) Final decision concerning transfer of credit rests with the dean of the student's college.

15) 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 no more than two courses outstanding toward all degree requirements and at least a cumulative GPA of 2.00 may petition his or her dean in order to participate in Commencement exercises. If a student completes requirements prior to October 1, the student is considered a member of his or her graduating class.

16) Transfer Students: The requirements for the degree described above apply also to transfer students. One year of the residency requirement may be waived, provided the transfer student is capable of presenting the faculty with two years of acceptable coursework from another accredited institution of higher learning.

17) 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 Independent Study (450) without limit. Each registration of such courses carries full credit and is calculated independently in a student’s grade point average.

18) 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.

19) Course Repeat (does not apply to “repeatable courses”): Students may repeat courses in which they have earned a grade below a C- (1.7). Courses with a grade of C- or better may not be repeated. The deans will not approve any exceptions. The student’s permanent transcript records each time a course is taken, including the grade. In computing the student’s GPA, the highest grade will be used. Courses repeated at other institutions and transferred to the Colleges are not included in the GPA nor are they treated as HWS course repeats. Repeated courses count only once toward the 32 courses required for graduation.

Credit by Proficiency Examination

The Colleges participate in the college-level credit-by-examination program of the College Entrance Examination Board and in the College Proficiency Examination program, sponsored by the New York State Education Department in cooperation with colleges and universities throughout the state. These programs of examinations enable individuals to demonstrate college-level competencies attained outside formal classroom instruction. Detailed information about both programs can be obtained by writing to: College Proficiency Examination Program, State Education Department, Albany, NY 12224.

The Colleges allow credit whenever such examinations cover material given in the various courses leading to a degree, provided that the approval of the appropriate dean and department has been obtained and a grade of C or better is earned. Normally, such credit is granted only to students who meet the entrance requirements and who matriculate, or have previously matriculated, in a program of study in residence leading to a degree. A student may normally earn two course credits through proficiency examinations, although additional credit (up to a total of seven courses) may be granted to a student applying for admission with advanced standing. Further information may be obtained from the dean of each college or, in the case of an entering student, from the director of admissions.
Registration
All students are encouraged to register on days and times specified by the Registrar and published in the Registration Handbook and Schedule of Courses. 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. A fee is charged for late registration. Students who fail to meet their financial obligations to the Colleges may be denied registration or deregistered from classes.
(See “General Payment Schedule” in Admissions, Expenses, Financial Aid.)

All students are required to consult with their faculty advisers prior to registration. If a student registers for a course without meeting all prerequisites and without written approval of the adviser, his or her enrollment in the course may be canceled at any time by the instructor offering the course. Students declare their course selections via the Web-registration system or by submitting a registration form signed by their faculty adviser. Students are required to register for four full credit courses per semester. Any exceptions must be approved by the Committee on Standards and the Dean of the College in advance.

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.

Dropping and Adding Courses
Students may drop and add a course during the first five days of class via the Web-registration system. Students seeking to drop or add beyond this period require the approval of their adviser, dean, instructor, and the Committee on Standards, as described by the Colleges’ Authorized Withdrawal Policy. Registrations and student class schedules are finalized at the end of the five-day drop/add period. Students are accountable for all courses for which they are enrolled from that point on, and those courses are reflected on the permanent academic transcript. If a student has attended a course in which he or she was not properly registered, no credit or grade is recorded. If a student stops attending a course but fails to drop or withdraw properly, a grade of “F” may be assigned by the instructor of the course and recorded on the permanent academic transcript.

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

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

In effecting these provisions, the Colleges’ administration and faculty agree to exercise the fullest measure of good faith and agree that no adverse or prejudicial effects shall result to any student who avails himself or herself of the Colleges’ policy on religious observances.
It is not institutional policy to provide medical excuses when a student has been absent from class.
Regarding incompletes and absences from final examinations, either a student’s dean or the instructor may allow an incomplete based on coursework, but only a dean can excuse a student from a final examination. Incompletes and excuses from final exams are given normally only for reasons beyond the student’s control. In this instance, the dean communicates with both the student and the instructor of the course.

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

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

INTERCOLLEGIATE ATHLETICS AND POST-SEASON COMPETITION
(approved by the faculty, March 8, 1999)

I. Philosophy Statement on Intercollegiate Athletics
The faculty recognizes that intercollegiate athletics is an activity endorsed and supported by the Colleges. Whenever a student represents the Colleges in post-season competition, and such representation occurs when the student is scheduled to take an examination, the faculty will permit the student to take that examination at some other appropriate time or place under appropriate supervision. Immediately upon notice of 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 an exam or an appropriate alternative and students will consult with faculty members regarding an alternative time or place for the examination. The Vice President for Student Affairs or designee will resolve any difficulties in implementing this accommodation.

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

(1) The directors of athletics will arrange the schedules of competition to minimize missed class time.
(2) Coaches may not require student-athletes to miss class to attend practices or meetings with the exception of NCAA Championship competition.
(3) 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.
(4) Faculty members will announce class attendance policies and other requirements at the beginning of their courses.
(5) 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 time occurs between 4 and 6 p.m.
(6) Student-athletes are responsible for making arrangements for completing any work missed because of an athletic competition.
(7) 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.

PLAGIARISM DEFINED


The spectrum [of plagiarism] is a wide one. At one end there is a word-for-word copying of another’s writing without enclosing the copied passage in quotation marks and identifying it in a footnote, both of which are necessary. (This includes, of course, the copying of all or any part of another student’s paper.) It hardly seems possible that anyone of college age or more could do that without clear intent to deceive. At the other end there is the almost casual slipping in of a particularly apt term which one has come across in reading and which so admirably expresses one’s opinion that one is tempted to make it personal property. Between these two poles there are degrees and degrees, but they may be roughly placed into two groups. Close to outright and blatant deceit...is the patching together of random jottings made in the course of reading, generally without careful identification of their source, and then woven into the text, so that the result is a mosaic of other people’s ideas and words, the writer’s sole contribution being the cement to hold the pieces together. Indicative of more effort and, for that reason somewhat closer to honesty, though still dishonest, is the paraphrase, an abbreviated (and often skillfully prepared) restatement of someone else’s analysis or conclusion, without acknowledging that another person’s text has been the basis for the recapitulation.

The examples given below should make clear the dishonest and the proper use of source material.

[The original source is given, followed by four examples of plagiarizing the original source: (1) word-for-word copy; (2) the mosaic; (3) the paraphrase; and (4) the apt phrase.]
The Second Treatise of Government

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

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

1. Word-for-Word Plagiarizing

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

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

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

2. The Mosaic

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

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

· crystallizing force of Locke’s writing,
· some of the familiar features of our own government,
· much criticized branch known as the Supreme Court,
· combination of many powers in the hands of the executive under the New Deal,
· have re-echoed its claims for human liberty...property,
· from the trend and aim...Grotius,
· to say nothing of Aristotle and...natural law,
· quarry of liberal doctrines.

As in the first example, there is really no way of legitimizing such a procedure. To put every stolen phrase within quotation marks would produce an almost unreadable, and quite worthless, text.

3. The Paraphrase
PARAPHRASE: Many fundamental aspects of our own government are
ORIGINAL: Many familiar features of our own government are

apparent in the Second Treatise of Government. One can safely
apparent in the Second Treatise of Government it is safe to

say that the oft-censured Supreme Court really owes its existence
assert that the much more criticized...Court obtained its being

the New Deal has still to encounter opposition because it is
the New Deal has still to encounter opposition because it is

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

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

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

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

In point of fact, this source does not particularly lend itself to honest paraphrase, with the exception of the one sentence which the paraphraser above copied without change except for abridgement. The purpose of paraphrase should be to simplify or to throw a new and significant light in a text; it requires much skill if it is to be honestly used and should rarely be resorted to by the student except for the purpose, as was suggested above, of his personal enlightenment.

4. The “Apt” Term

Here the writer has not been able to resist the appropriation of two striking terms—“quarry of liberal doctrines” and “crystallizing force”; a perfectly proper use of the terms would have required only the addition of a phrase; the Second Treatise is, to use Sherman’s suggestive expression, a “quarry of liberal doctrines.” In it the “crystallizing force”—the term again is Sherman’s—“of Locke’s writing is markedly apparent...”

Other phrases in the text above—“the cause of human liberty,” “the principle of the separation of powers,” “the inviability of private property”—are clearly drawn directly from the original source but are so frequently quoted, that no one could reasonably object to their re-use in this fashion.

RESIDENTIAL POLICIES

RESIDENCY REQUIREMENT

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

RESIDENTIAL COMMUNITY STANDARDS

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

GENERAL REGULATIONS

Cable Television

Tampering with cable television wires is illegal. Violators are subject to Colleges’ disciplinary action and may be prosecuted by the cable company for theft of services.

Cleaning

Students are responsible for cleaning their own rooms to meet both health and safety and their roommate’s standards. The Colleges’ housekeeping staff is responsible for the regular cleaning of common rooms,
bathrooms, and hallways in most residences. The exceptions are The Village at Odell’s, where residents are responsible for all cleaning; and cooperatives, where residents are responsible for the kitchen and dining areas.

**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.

**Common Area Usage**
Residents, their guests, and members of the Colleges community are encouraged to use the lounges in residence halls for social and educational gatherings. All parties, meetings, and gatherings in residential lounges should be cleared with the area coordinator of the facility, an assistant director or the director of residential education at 315-781-3880.

**Damage**
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 his or her residence and enforce residential education policies.

Students are responsible for reporting damage whenever observed and as soon as possible after it has occurred. In particular, it is the responsibility of each individual to report to the area coordinator any damage for which he or she is 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.

The Colleges charge all students who are responsible for avoidable damages and losses that occur in student residence halls. “Avoidable damage” is defined as damage that is the consequence of careless, willful, or malicious actions, including horseplay and residence hall “athletics.” Such damage contributes significantly to the general deterioration of living conditions, which impacts all students’ attitudes about community and personal security.

When individual responsibility for damage and loss in public areas (bathrooms, lounges, etc.) cannot be determined, a charge will be made to all students within a reasonably defined area (e.g., floor, suite, or building). Students will be notified of damage billings and should make payments for damage directly to the Student Accounts Office within 10 working days after receipt of notice of amount due. After 10 days, unpaid charges and an added administrative fee will be billed directly to the student’s HWS account.

**Damage Appeals**
Appeals for damages must be made in writing within two weeks of the damage billing. They should be mailed to Residential Education, Hobart and William Smith Colleges, Geneva, NY 14456, attn: name of building. Any student responsible for willful or recurring damages may be referred to the William Smith Judicial Board, the Hobart Student Court, Assistant Vice President of Student Affairs or the Committee on Standards, as appropriate. Sanctions may include but are not limited to fines, loss of lottery privileges, or a room change.

Inspections of all college residences will be carried out to ensure that damage is reported.

**Furniture**
Each student living in a HWS residence hall room is provided with a desk, chair, dresser, and bed. Students living in fraternities or 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.

**Gambling**
Gambling in any form is prohibited.

**Guests**
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 his or her 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.

It is the responsibility of the host to explain residence hall rules to the guest. Students and their guests are expected to be considerate of their and the Colleges’ property and neighbors at all times. Although guests are responsible for their own behavior, students are also accountable for the conduct of their guests, with the exception of Hobart and William Smith students, who are responsible for their own actions anywhere on campus. Where the rights of a resident and guest conflict, the rights of the resident supersede those of the visitor.

Residence hall rooms can accommodate comfortably only those students assigned to them, and occupancy is strictly limited to the students assigned to that room. Therefore, the duration of a guest’s stay may not exceed three days during a two-week period. If there are extenuating circumstances, exceptions may be requested through an area coordinator.

**Noise**
Any noise that disrupts the operation of the Colleges is prohibited. It is the responsibility of each resident, along with Colleges’ staff members, to monitor the level of noise within the residence. Residence hall quiet hours are between 10 p.m. and 7 a.m., Sunday through Thursday, and midnight to 9 a.m., Friday and Saturday. Students bothered by excessive noise who have talked to the person(s) responsible without a satisfactory response should ask a member of the residence staff to intervene. If no member of the residence staff is available, it is appropriate to contact Campus Safety (315-781-3656). After responding directly to the call, Campus Safety will send a report of the complaint to Residential Education, where further action may be taken. The Colleges have agreed on a 24-hour courtesy policy. If at any time a student is asked to decrease his or her noise level it is expected that the student will comply with the request.

**Alcohol in Residence**
Bars, beer pong tables, funnels, and any common source containers are prohibited in the residence halls. If found they will be confiscated or dismantled. Any alcohol neon signs, banners, or other advertisement may not be visible through the window of a room. If these items are displayed, the student will be asked to remove the items or face confiscation of them.

**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.

**Solicitation and Vending**
Solicitation or vending of any kind by students, company representatives, or mail-order displays is governed by the Colleges’ Campus Services Committee. Solicitors/vendors in the residence halls must present written approval upon demand. If they are unable to provide documentation, they should be asked to leave and reported to Campus Safety immediately. (For more on vending, see “Vending Policy” under “Administrative Policies.”)

**Storage**
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.

**Theft of and Damage to Personal Belongings**
The Colleges are not responsible for loss of or damage to students’ personal property. The loss of personal property due to theft or damage is the responsibility of the student. These losses may be covered under family homeowners or renters insurance of the student or student’s family. However, students should check with their insurance carrier on coverage for student personal property.

**Utilities**
The maintenance department is responsible for power or plumbing failures and general repairs. Any damage or malfunction in a student room or common area should be reported to the appropriate residence staff member as soon as possible so that repairs can be made quickly. All emergencies (e.g., a broken water main) should be immediately reported to Campus Safety at 315-781-3333.

**SAFETY POLICIES**
The following policies were implemented to secure the Colleges’ property and the community’s safety.

**Lock and Key**
The entrances to all residence halls are locked 24 hours a day. **Please report lost keys immediately to the Office of Residential Education.** Lost keys will be replaced for a fee (see the “Checking-Out” section for details).

**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.

**Weapons**
Firearms and/or weapons (including air guns, bb guns, paintball guns, pistols, ammunition, knives, slingshots, etc.) are not allowed in Colleges residences, fraternities, or on campus at any time. Possession of such weapons violates the New York State penal codes pertaining to colleges. Student possession of a firearm or other weapon is sufficient cause for disciplinary action by the Vice President for Student Affairs or designee. The expression “firearm” will be broadly interpreted at the discretion of the Vice President for Student Affairs or designee.

**Missing Student Procedure**

Students residing in on-campus housing may choose to register a confidential contact with the Colleges. The registration is optional and the contact will only be assessed and contacted if a student is officially determined to be missing for 24 hours. The confidential contact should be someone who will be likely to know your location and you wish to be contacted if you are missing. The confidential contact information will be accessible only to authorized campus officials and law enforcement personnel. If anyone believes that a resident student is missing they should immediately contact Campus Safety at 315-781-3000. Campus Safety will work with the Geneva Police and notify the appropriate campus administrators. If the Geneva Police determine that the student is missing for 24 hours the appropriate campus official will contact the student’s registered confidential contact person. If the student is under 18 years of age and is not emancipated, HWS will notify the student’s parents or legal guardian.

**Fire Safety**

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.

Each year members of the local fire department respond to many false alarms and in doing so put themselves and the community at risk. False alarms risk making everyone—especially students—complacent and less sensitive to the next fire call, which could be for a major life-threatening fire.

A computer-based central fire-alarm monitoring system, located in the Office of Campus Safety, is designed to provide warning of fire danger in major campus buildings. Any pre-alarm signal enables campus safety officers to enter that room. Localized alarms sound in all buildings. Response to alarms is by both campus safety officers and the Geneva Fire Department. The following items are strictly prohibited to secure the Colleges property and the community’s safety. Any illegal appliance that comes to the attention of a Colleges official will be confiscated and the student will be referred to the appropriate disciplinary board or Vice President for Student Affairs or designee.

These items are prohibited (this list is a reference and not exhaustive):

- Candles/open flame devices
- Incense
- Tapestries or other wall coverings, including flags
- Halogen or torchier lamps
- Extension cords *(only power strips with surge protectors are allowed)*
- Holiday lights
- Toaster ovens/hot plates/Foreman grills
- Coffee pots (units with an auto shut-off feature and Keurig-style coffee makers are allowed)
- Microwave ovens (except for Colleges-approved micro-fridges)
- Large refrigerators (above 3 cubic feet)
- Fireworks/pyrotechnics
• Building lofts and other wood structures

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

Open Flames and Burning
The use of open-flame devices or other burning materials, such as candles and incense, and the melting of wax to fabricate candles, is prohibited. Such materials will be confiscated. Students found responsible for setting fires may expect to be separated permanently from the Colleges. A charge of $50 will be assessed for each candle found.

Fire Extinguishers and Other Fire-Safety Devices
Fire extinguishers should be utilized only for their intended purpose and should not be removed from their assigned location. An extinguisher should be used only after the alarm has been pulled and the fire department has been notified. Then, those who are capable may attempt to control a small fire.

Unwarranted use of a fire extinguisher or any other tampering with fire alarms or devices is considered a serious offense that could lead to suspension from the Colleges. A minimum charge of $250 will be assessed to any student or floor residents who discharge, damage, or tamper with any fire-safety equipment other than to control a fire.

Fire drills.
Fire drills in residence halls are scheduled periodically, in accordance with National Fire Protection Association and local fire-safety codes. Fire drills are intended to make sure occupants are aware of exit locations and that emergency-response personnel know their respective and mutual responsibilities.

Students should take fire alarms seriously, evacuate when they sound, and follow the directions of the person in charge. It also is important to become familiar with the location of exits. In case of an emergency evacuation, the best advice is *stay calm*. Safe escape may depend on thinking clearly and remembering what has been practiced. Residence staff will check residence rooms during fire alarms. Students who fail to exit a building when the fire alarm sounds will be fined $50.

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.

Cooking and Kitchens
Use of all cooking appliances in student rooms is strictly prohibited. Toaster ovens, microwave ovens, large refrigerators, burners, etc. are prohibited in rooms. A small kitchen area is provided in most residence halls.

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.
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.

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.

Lighting and Fire Safety Policy
Lamps of all kinds can be fire hazards. Research strongly suggests that a lamp’s design and the way that it is used—even more than its light source—determine its safety. Through the residence education program, the Colleges will monitor the lighting arrangements in students’ rooms and require that students observe the following rules in using lamps in their residences:
(1) 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.
(2) Never touch a light bulb with bare fingers. Many retain heat long after being switched off. Skin oils can cause hot spots that may cause halogen bulbs to fail or burst.
(3) Floor and desk lamps should be well-constructed, have heavy weighted bases, and intact cords. They should be placed on a level surface away from walls, furniture, or contact with combustible materials. It is important not to leave bulbs bare—they must have a covering to avoid fires. Lamps should not be placed on beds or in lofts where the lamp or a frayed cord could ignite the bedding.
(4) Clothing or other combustible materials should never be hung from any light source.
(5) Lamps with defective switches, frayed cords, unsteady bases, or broken poles should be discarded or immediately removed from service until properly repaired.
(6) 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.
(7) Turn off all lights when leaving a room for any extended period of time.
(8) Consider alternatives to additional lighting; avoid dark colored bedding and room decorations which absorb light. When placing furniture in the room, take advantage of existing lighting when locating study/reading areas.
(10) In addition to one scheduled safety check per semester, resident advisors are also encouraged to make periodic unscheduled room visits. Resident Assistants and Area Coordinators are not trained as lighting and safety experts; however, when unsafe lighting arrangements are observed, RAs and ACs will note them as violations cited for correction.

For more information about fire safety, consult Living Safely, published annually by the Office of Security and Safety. Information is also available from the Consumer Product Safety Commission at (800) 638-2772 or www.cpsc.gov, and Underwriter’s Laboratory (800) 787-8540 or www.ul.com.

Motorcycles and Motorbikes
Motorcycles and motorbikes are not permitted in the residence halls.
Space Heaters and Air Conditioners
Due to fire safety concerns and possible overloading of electrical circuits, space heaters and air conditioners are not permitted, unless approved by the assistant director of housing operations for residential education under the advisement of the Office of Disability Services.

HOUSING SELECTION
Living arrangements are determined through housing selection processes that take place each spring for the following year. Arrangements are made for the entire year. Students returning from a leave of absence or study abroad should expect to live in Colleges-owned housing. If a student will not be on campus spring semester but is expected to be back in the fall, he or she will be assigned a room selection number. The student should designate another student who will be on campus in the spring as a proxy. This proxy can select a room and sign a housing contract on the absent student’s behalf. Each student is responsible for arranging his or her housing each year through the room selection process.

While the Colleges cannot accommodate every student on campus, everyone who attends Hobart or William Smith should plan to live in Colleges’ housing and participate in the meal plan. The option to do otherwise is determined solely by the off-campus selection and must not be assumed.

Off-campus status is granted to a limited number of seniors through the off-campus selection process. A selection process is held each semester in order to accommodate those students who are away from the Colleges during a given semester. For on-campus housing, juniors, sophomores, and first-year students (in that order) choose rooms for the following year. Special application processes are held for cooperative houses, theme residences, The Village at Odell’s Pond, and other specialty housing prior to the general selection process.

Students are allowed only the status they acquire in the latest process in which they participate. Although requests for special exceptions are considered and honored when possible, it should be understood that the Vice President for Student Affairs or designee’s office has final jurisdiction for establishing the most appropriate overall housing situations for all students.

Information explaining room selection rules and regulations is mailed to students during spring semester, well in advance of the beginning of the process. Information is also available from the residential education staff. The Colleges reserve the right to make changes in campus room assignments and reserve the right to change living arrangements in residence halls when deemed appropriate.

Living Off Campus
A limited number of students are permitted to live off campus each year. In addition to married students and students living with their families, some seniors may be given off-campus status after all available spaces in Colleges-owned residences are filled.

Permission is granted on the basis of a selection process conducted by the residential education office each semester. Confirmation of status is given by a letter from the residential education office following the selection process. Students without official permission will be required to pay for campus room and board and will be expected to live in his or her on-campus room. Students should never sign a lease for an off-campus apartment until they receive written confirmation of off-campus status. 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.

As residential colleges, Hobart and William Smith feel that it is essential to our community’s well-being 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. A student living off campus is responsible for the safety, security, and condition of his or her accommodations. Housing in Geneva is at a premium, as there is a great demand for high-quality, moderately-priced houses and apartments. Students often find “house hunting” frustrating, but there are wonderful places to be had by the patient and lucky, and living in the Geneva community can be a very rewarding experience. 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. If a student or group of students abuse this privilege, their off-campus status may be revoked.

**LIVING WITH A ROOMMATE**

**Students’ Rights and Responsibilities**

Each student is expected to promote and perpetuate a healthy living atmosphere for all residents. Especially in the case of two or three people sharing the same room, students are expected to deal with issues that can normally arise between roommates. All reasonable requests for time to study or sleep in residence hall rooms should be honored. Students are expected to demonstrate sensitivity to the needs, feelings, and individuality of their roommate(s). Differences should be accepted, appreciated, and dealt with in a direct, constructive way. Students are expected to respect the time, space, and possessions of their roommates. In this regard, it is important that roommates communicate with each other and make an effort to understand each other’s positions on issues relating to study and sleep times, guests in the room, the sharing of property, and smoking in the room. To assist students with the communications process, the residential education staff has developed a Roommate Contract, which is designed to begin open conversation with regard to needs, lifestyle habits, and concerns. Remember, the room is a shared space. Having friends and overnight guests in the room is not something to be taken for granted; it must be openly discussed between roommates. Those wishing to entertain friends must never impose a guest on an unwilling or even hesitant roommate. The Roommate Contract, available at the first floor meeting or from an RA or area coordinator, should be used as a basis for beginning conversations.

**Room Changes**

Because the Colleges recognize that the process of learning to confront and resolve conflicts requires time, effort, and commitment, the room-change process is designed to be thorough in its examination and evaluation of any conflicts that arise. Each student will be asked for a copy of his or her Roommate Contract so that the residential staff member is aware of the items agreed upon by all roommates. Room changes within the first two weeks of each semester will not be considered. After that time and after discussion between roommates, students unhappy with their living situation may speak with their RA or area coordinator about a room change. It is expected that they will have made a concerted effort (with assistance from residence staff) to confront and reconcile the problems contributing to their dissatisfaction. If all parties agree that no progress is being made and a change request is filed, the area coordinator will consider the issue with residence staff member(s) familiar with the situation. Outcomes vary with situations and may range from an approved room change to making further suggestions for remedying the problem. Students may not move their belongings into or reside in another room unless permission has been granted by a professional residential education staff member. Those who attempt a room change without the approval of the residential education office may be fined and may face referral to the student judicial bodies.

**ROOM CHECKS**

While respecting the privacy of individuals in their rooms, the Colleges reserve the right to enter student rooms for purposes of repairs, furniture inventory and room condition checks, to ensure compliance with campus police and fire and safety codes, and/or in any emergency. The Colleges reserve the right to remove
any item not in compliance with Colleges policies or New York State statutes. Regular residence halls checks will be conducted at the close of each semester. There also may be some periodic unscheduled room checks.

OPENING AND CLOSING OF COLLEGES’ RESIDENCES
On-campus residences will be opened and closed at specific times during the year. Residents are responsible for knowing and adhering to the opening and closing times, which will be posted in advance. Students approved to arrive on campus before the official opening date and stay beyond the closing date will be charged $25 per night to stay on campus. Students without permission from the Office of Residential Education will be subject to $50 per night to stay on campus and possible judicial action. During the break between fall and spring semesters, certain residences will be used to house international students and athletes. Students should understand that room contracts hold for the 30 weeks that school is in session, and that, under certain circumstances, the Colleges may reassign rooms, as necessary, during break periods. Room occupants will be notified in advance as such situations arise. At the end of spring semester, designated residence halls will be open through Commencement for degree candidates, their families, and Colleges guests only. With the exception of graduating seniors, residents are expected to vacate their rooms by noon the day following their last exam.

Checking In
All residences open the day before classes begin. Students should plan to arrive on campus between 9 a.m. and 4:30 p.m. in order to pick up keys at the Residential Education Office located at 101 St. Clair St or the designated campus location. At this time, students will also be given a Room Condition Report form. It is important that each student take a few minutes to complete this form, as it is used by the residential education staff to assess damages upon check-out. Once a student has completed the form it should be returned to his or her RA. Failure to turn in a form may jeopardize a student’s ability to appeal damage charges at a later point.

Checking Out
Students must vacate their rooms by noon the day following their last exam or within 24 hours of withdrawal from the Colleges. Each student living on campus is issued a room key upon arrival on campus. Room keys should be returned to the appropriate residential education staff member when students move out of their rooms. Under the Colleges’ lock system, loss of a room key requires the replacement of the lock mechanism as well as the cutting of new keys. Students who lose keys will be charged $50 for these services. This fee will be charged to the student account of the person responsible for the loss. Students who fail to return their keys by the day following Commencement will be billed $50 for lock replacement. Students are expected to leave their rooms in good condition. Personal items left after check out or withdrawal will be removed and disposed of at the owner’s expense. Any student who neglects to complete the Room Condition Report form or follow proper check-out procedures forfeits the right to appeal room damage charges and will be assessed an improper check-out fee of up to $100.

Medical Exemptions
Students wishing to be excused from board obligation on medical grounds must apply through the office of disability services. Students will be required to complete the necessary paperwork and furnish supporting documentation from their doctor that details a specific diet plan or multiple-food intolerance list. 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 food-service meal structure. Special medical information is discussed with the director of dining services, the Hubbs Health Center staff and the director of residential education to ascertain whether or not special dietary arrangements can be provided. Full details about medical accommodations may be found on the webpage of the office of disability services. Final approval for the exemption of any student from a required meal plan rests with the director of residential education.

HEALTH AND SAFETY POLICIES

ALCOHOL POLICY
(Revised August, 2005. All policies previous to this one are null and void.)

Section I. Purpose
As set forth in the Colleges’ mission statement, Hobart and William Smith seek to promote understanding of social issues and problems, and to prepare students for “lives of responsible citizenship...[and the] capacity for acting upon the world in ways that will enrich both their personal lives and the communities in which they live.” Alcohol abuse and its associated problems are among such social issues.

In keeping with federal, state, and local laws, the policies set forth here support informed, responsible choices. The Colleges’ intention is to encourage and support good judgment in the legal use of alcohol for those who choose to use it.

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

Section II. Legal Context
Members of the Colleges’ community are responsible for complying with federal, state, and local laws, as well as with regulations of the Colleges. Among the relevant laws are the following:

Legal Minimum Age for Use or Possession. It is illegal for a person under the age of 21 to consume alcohol or to possess alcohol with the intent to consume it.

Selling or Giving Alcohol to a Person Under 21. It is illegal to sell, deliver, or give away alcoholic beverages to any person actually or apparently under the age of 21. (Anyone causing or permitting this to occur is likewise guilty of a crime). This is a Class B misdemeanor.

Selling or Giving Alcohol to an Intoxicated Person. It is illegal to sell, deliver, or give away any alcoholic beverage to any intoxicated person or any person under the influence of alcohol. (Again, causing or permitting this to occur is also unlawful).
Using False Identification. It is illegal for any person under the age of 21 to present or offer identification of age which is false, fraudulent, or not his or her own, for the purpose of purchasing 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.

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 age 21 results in injury or damages to a third party.

Drinking and Driving. It is illegal to operate a motor vehicle with a 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.

Zero Tolerance (Under Age 21 Drinking and Driving). A 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) is guilty of an offense that results in substantial fines and license revocation.

Alcohol Permit Required for Sale. An alcoholic beverage control license or permit is required for any sale of alcoholic beverages. “Sale” has been interpreted by the courts to include payment of an admission charge or collection of a donation at the door of an event at which alcohol is distributed free of charge.

Local Ordinances. The City of Geneva has adopted the following “Open Container” and “Social Host” ordinances:

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.

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.

Section III: General Rules Governing Alcohol at Events
The Colleges neither intend nor expect to prohibit the use of alcohol on campus, except by anyone under the age of 21, the legal drinking age in New York State. Rather, we expect students using alcohol to do so legally, appropriately, and responsibly. Penalties for not doing so can range from institutional sanctions to criminal
prosecution. Where interpretation is required, the spirit and intention of legal, appropriate, and responsible use will prevail. Reducing the risk of harm and promoting the overall health and safety of students is our primary objective.

· Underage drinking is strictly prohibited.
· Students must use a valid and legal form of identification to purchase or obtain alcohol. Any alteration of identification is considered a violation of the alcohol policy and is likely a legal violation as well.
· Common sources of alcohol (kegs, party balls, punch buckets and unmonitored sources) are not permitted except when administered by an approved third-party caterer.
· Students are responsible for any alcohol in their residences and/or rooms.
· Alcohol is not permitted in traditional residence hall lounges under any circumstances.
· *Alcohol is not permitted outside unless approved by the Special Event Request Committee and meets the guidelines set forth in Section V
· Members of the Colleges community should avoid excessive alcohol consumption. Drinking that is associated with behavior that is or could be harmful to the person drinking, infringes on the rights of others in the community, or results in significant damage to property is not acceptable at the Colleges and is a violation of Colleges’ policy.
· Members of the Colleges community may not attend classes or other official Colleges’ functions while intoxicated.
· Student activity funds may not be used for the purchase of alcoholic beverages.
· A valid and legal photo ID must always be requested and presented to identify those students who are 21 or older.
· Alcohol may not be mentioned in advertising and publicizing any event.
· Non-alcoholic beverages must be served at any event where alcohol is served. All non-alcoholic beverages must be purchased in proportion to the number of persons attending who are not of legal purchase age; for an open party that is roughly 75 percent of the student population. A variety of non-alcoholic beverages is recommended (e.g., soda, sparkling water, etc.) Non-alcoholic beverages should be displayed and served in a visible, attractive location.
· 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, such as pizza, bread, cheese, unsalted nuts, or macaroni and potato salads, slow the rate of absorption of alcohol and should be encouraged. In all instances, the amount of food, alcohol, and non-alcoholic beverages purchased should be appropriate to the number of persons attending and should be distributed throughout the event.

· Risk management training. The Colleges are concerned about high-risk situations where alcohol is served, and believe the best prevention is through education and training. In balancing the concern for the community with the rights of the individual, the Colleges believe the most effective way to prevent students from harming themselves or others when alcohol is served is to have trained and knowledgeable people overseeing events where alcohol is served. Student organizations that intend to have alcohol at an event defined as “medium” or “large” are required to have an appropriate number of trained and alcohol-free monitors as stated in Section V of this policy.
Alcohol proportions. The quantity of alcohol present during social activities must be carefully limited to a “reasonable amount” for the number of persons of legal age expected to be present. A “reasonable amount” of alcohol is that quantity that will be sufficient to serve each of those of legal age the equivalent of one 12-oz. glass of beer, one 5-oz. glass of wine, or 1 oz. of distilled spirits during each hour of the event. For events open to the campus community, the amount of alcohol purchased for the number of participants anticipated must be in proportion to the number of persons of legal drinking age on campus, which is approximately 25 percent of the student population. The use of alcohol stronger than 80 proof, beers stronger than 4 percent, and wines in excess of 12.5 percent is prohibited. No person shall be served more than one drink at a time, nor will pitchers of drinks be made available.

A third-party caterer is required in the following situations: (1) At a party billed as “open to the public,” at which alcohol is present; (2) At a party that requires written invitation to attend and is larger than 75 people, at which alcohol is present; (3) Whenever alcoholic beverages are sold; (4) 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; (5) Whenever a common source of alcohol is present. Referral to an approved caterer can be obtained from the Social Events Request Committee.

In contracting with a caterer, the following rules apply:

(a) The caterer 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 the Colleges of the Seneca named and evidenced as additionally insured parties on such policy.

(b) The caterer 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) Caterers must use a “bracelet system.”

(d) Approval of third-party caterers is at the discretion of the Vice President for Student Affairs or designee.

(e) The third-party caterer must sign the Social Event Request Form indicating that it accepts responsibility for the alcohol consumed at the event.

Bracelet system: The purpose of the “bracelet system” is to allow those 21 or over and those under age 21 to socialize freely and not be restricted to closed-off areas. The system consists of two different bracelets, one for those 21 and over -- “alcohol yes” -- and one for those under 21 -- “alcohol no.” The third-party caterer 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. Professional staff monitors and servers will continually observe that only those who have an “alcohol yes” bracelet are using alcohol. All guests of the party must wear either an “alcohol yes” or an “alcohol no” bracelet while at the party at all times.

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 an “alcohol yes” bracelet are allowed to be in possession of alcohol. No alcohol may be taken from the dispensing/consumption area at any time.

Duration: All parties have a maximum of five 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 Event Notification Committee.
**Lawn Parties:** All outdoor parties at which alcohol is served must be fenced in.

**Section IV: Small, Spontaneous Events**

**Where Alcohol is Served:** The Colleges recognize students 21 and older might want to gather together in a spontaneous way to socialize and interact, and alcohol might be present. As long as the spontaneous event meets the aforementioned rules governing alcohol events, students can assemble for a gathering or event in a room with alcohol without completing the Social Event Request Form. These small gatherings will be allowed to occur in residence hall rooms/suites, small houses, fraternities, and Odell’s apartments, as long as the small gathering does not exceed the occupancy guidelines set forth below.

- 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.
- In **suite style rooms located in Bartlett, Durfee, Emerson, Hale, Jackson, Medbery, de Cordova, Odell’s, Potter, Rees and Caird**, the occupancy cannot exceed 10.
- For all **houses, including fraternities (Theta Delta Chi)**, the occupancy cannot exceed double the current occupancy plus one.

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. The Colleges want to remind students who are under 21; possession of alcohol is strictly prohibited and is a violation of Colleges’ policy.

**Section V: Medium and Large Sized Events Where Alcohol is Served**

Events that are larger than a small, spontaneous event where students who are 21 and older are gathering in an approved location and are serving alcohol are classified as either a medium or large event. A medium sized event is defined as in excess of double the occupancy plus one, up to a maximum of 75 people. A large sized event is defined as a party in excess of 75 people.

Both medium and large sized events, where alcohol is served, require students to plan accordingly and submit an application to the Social Event Request Committee. This committee is comprised of representatives from Campus Safety, Residential Education, Student Activities, and the Hobart and William Smith student body. Applications are reviewed once a week and can be picked-up at the Student Activities office, located on the second floor of Scandling Center. When considering an application, the committee will consider the following checklist or guidelines:

- The sponsors of the event meet the general rules governing alcohol at events as outlined in Section III.
- The Social Event Request Form (SERF) is completed and submitted to the Social Event Request Committee at least five business days prior to the date of the event. The SERF must include the following information:
  - Name of the event
  - Description of the event
  - Sponsoring organization
  - Location of event
  - Event date and time
  - Maximum attendance
Source of funding for purchasing alcohol
Quantity and type of alcohol to be purchased
Quantity and type of food and non-alcoholic beverages to be purchased
Responsible person (event coordinator) and contact information
Name of hired security to check IDs and monitor access to event
Names of trained alcohol-free monitors who will be present at the party (ratio 1:10 for medium events and a total of two for large events)
Name of third-party caterer (required for large event only)
Name of third-party caterer insurance carrier and liability limits (required for large event only)

If approved, the sponsors of the event must take the following action:
- All residents of the small house/residential suite will be notified by letter, at least 24 hours before, of when, where, and the period of time the event will occur.
- A Certificate of Approval from the Social Event Request Committee will be issued at least 24 hours prior to the event. A copy will be retained in the Student Activities office.
- Trained alcohol-free monitors reported on the Social Event Request Form cannot be changed without notifying the Social Event Request Committee at least two days prior to the event. These changes will not be considered official until approved by the Social Event Request Committee.
- At anytime during the event, Colleges officials may visit a party that has been approved through this process.
- If there are discrepancies between the application materials and conditions found at the event, the group, the individual responsible for the event, and the executive board of the group sponsoring the event may face disciplinary proceedings. In addition, pending an investigation, any approved applications of future events will be suspended until such proceedings have concluded.

For medium sized events, there must be a ratio of one trained and alcohol-free monitor for every 10 people who are attending the event. These alcohol-free monitors are responsible for the oversight of the event with regard to alcohol policy, risk management, and safety concerns.

Below are the approved locations and occupancy guidelines for medium sized events:

<table>
<thead>
<tr>
<th>Group</th>
<th>Address</th>
<th>Maximum Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chi Phi</td>
<td>573 S. Main</td>
<td>62 people</td>
</tr>
<tr>
<td>Delta Chi</td>
<td>574 S. Main St.</td>
<td>66 people</td>
</tr>
<tr>
<td>Kappa Alpha Society</td>
<td>600 S. Main St.</td>
<td>98 people</td>
</tr>
<tr>
<td>Kappa Sigma</td>
<td>584 S. Main St.</td>
<td>98 people</td>
</tr>
</tbody>
</table>

For large events, which are required to have a third-party caterer who is responsible for providing professional staff monitors, the number of monitors is to be decided by Campus Safety, based on the expected size, specific location of the event, and standard health and safety procedures regarding crowd control. It is not necessary for the sponsoring student organization to meet the 1:10 ratio of trained and alcohol-free monitors. However, it is required for the student organization to provide at least two trained and alcohol-free monitors to work with the caterer to ensure the event meets the Colleges policies and guidelines regarding serving alcohol at the event.
Below are the approved locations and occupancy guidelines for large sized events.

<table>
<thead>
<tr>
<th>Location</th>
<th>Guideline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barn</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Bristol Gym</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Bristol Field House</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Winn-Seely Gym</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Winn-Seely Dance Studio</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>William Smith Green</td>
<td>As permitted by Campus Safety</td>
</tr>
<tr>
<td>Bristol Green</td>
<td>As approved by Campus Safety</td>
</tr>
<tr>
<td>Odell’s Parking Lot</td>
<td>As approved by Campus Safety</td>
</tr>
<tr>
<td>Common Room Scandling Center</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Saga Scandling Center</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Cafe Scandling Center</td>
<td>As permitted by fire code</td>
</tr>
<tr>
<td>Cellar Pub Coxe Hall</td>
<td>120 people maximum</td>
</tr>
</tbody>
</table>

**Section VI: Athletic-Related Events and Occasions**

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:

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

**Section VII: Faculty-Sponsored Events and Institutionally Sponsored Events on Campus**

The Colleges value and seek to encourage occasions at which faculty and others include students in dinners, receptions and other events, providing for informal interactions. To assure that the Colleges meet their legal responsibilities when alcohol is served, on-campus events sponsored by faculty, administrative, and other institutional departments, programs, organizations, or sponsors at which alcohol is to be served and students are present must be catered by Sodexho 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.

**Section VIII: Events and Social Occasions Off Campus**
Students living off campus are expected to meet state and local laws governing alcohol and other substances. Underage drinking and/or disruptive behavior of any kind may result in criminal prosecution and penalties by civil authorities and disciplinary action and sanctions on the part of the Colleges.

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.

Faculty and other Colleges’ staff and employees are advised that any events in homes or elsewhere off campus at which students are present and at which alcohol is served are governed by the policies and procedures described herein, when the occasion can be reasonably described as arising out of the faculty or staff member’s relationship to students as teacher, coach, adviser, department or program director, employer, Colleges’ employee, or co-participant in an institutionally-sponsored, sanctioned, or related activity. Underage drinking is prohibited. Under no circumstances may Colleges’ funds be used to purchase alcohol to be consumed by students except in the case of on-campus dinners, receptions, and similar events catered by Sodexho or another third-party vendor. These policies and principles extend to faculty and all other employees supervising all off-campus activities, including (but not limited to) off-campus semesters, field trips, athletics and other travel, and attendance at conferences.

OTHER DRUGS POLICY

(Updated July 2012)

General Principles
As an institution of higher education, Hobart and William Smith Colleges have a responsibility to promote an environment that is incompatible with the use of illegal drugs and the abuse of other drugs/substances not medically prescribed and supervised.

Existing federal and state laws prohibit the possession, use, manufacture, and distribution of controlled substances. Degree and penalties vary depending upon the type of substance, amount of substance, prior record of individual and age of individual. Penalties for violating state laws can include substantial fines and imprisonment ranging from a few months to life. Violation of federal laws can also result in substantial fines and imprisonment as well as forfeiture of property and denial of federal benefits, including financial aid.

The Colleges prohibit illegal possession or transfer of any controlled substance so defined in the statutes of New York State. The outcome from selling, making or distributing drugs and from socially disruptive behavior resulting from use of illegal drugs will be prompt and decisive Colleges’ action. In addition, the Colleges prohibit the possession and/or use of drug-related paraphernalia. The Colleges are an educational institution. They do not apply sanctions of the law, but they do not ignore the law nor stand between the student and the law.

Hobart and William Smith Colleges take this position because use of these drugs can: (1) Create personal hazards and costs whether legal, academic, medical, or otherwise for users and others; (2) Affect negatively the well-being, intellectual, social, emotional, and spiritual/ethical growth and development of members of the community; (3) Cause situations in the setting of a residential college in which individual actions affect all members.

Individual Responsibility
Individual members of the Hobart and William Smith community should understand that: (1) They are responsible for their own conduct and its effect on others; (2) Drug use/abuse is no excuse for unacceptable behavior. The association of such usage with problem behavior will be seen as an exacerbating factor, and not
a mitigating one; (3) Assisting someone in obtaining help for problem or addictive use is an act of legitimate and reasonable concern; (4) Each member of the community is responsible for actively contributing to and sustaining a healthy campus environment.

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

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. People who consume larger quantities of alcohol can experience blackouts and severely impaired mental functioning, including memory loss. Unconsciousness, respiratory arrest, coma, and death are possible consequences of high levels of alcohol consumption.

Drinking is strongly associated with other high-risk conditions including being involved in car accidents and becoming infected with sexually transmitted infections. Heavy drinking often increases the likelihood of violent behavior including sexual assault, date rape, and fighting. Long-term drinking can result in addiction and physical damage such as heart disease, liver disease, and ulcers.

Colleges' Response to Violations of Alcohol and Other Drugs Policies
Hobart and William Smith Colleges recognize the important link between intellectual growth within the classroom and the social and emotional development that students experience in their daily lives.

When students make choices that violate the Colleges' policies, an educational response is the ideal approach to help students to think about their options and the decision-making process. However, when there have been incidents that place the student and/or others at the risk of harm, or when there have been repeated offenses, other steps, such as a referral to the Health Promotions Administrator and/or the Center for Counseling and Student Wellness, might be necessary. Outside assistance by a local treatment facility or a leave of absence from the Colleges in order to gain some insight into what might be contributing to the unhealthy behavior are also possible outcomes. In addition, some incidents may call for more traditional disciplinary action such as probation or suspension. When an incident involves violations of the alcohol and other drug policy and other policies, other sections of the Handbook of Community Standards will be invoked as well.

The Colleges recognize that when alcohol or other drugs are abused, the health and safety of students are the primary concerns. In situations where students call for help for themselves or another student needing medical assistance due to intoxication, the student calling will not be subject to the Colleges disciplinary procedures for the sole violation of using or possessing alcohol. The student being transported is expected to complete an assessment with the Center for Student Wellness and Counseling without being placed on social probation. However, repeated calls for medical assistance due to intoxication will result in disciplinary actions. Supporting students toward being successful, we will notify parents when medical attention is necessary. This
is our part of our collaboration with the student, parents and necessary support services on campus and beyond.

The following guidelines represent typical responses that will most likely result when there are subsequent violations of the HWS alcohol and other drug policy. Although each incident is considered on its own merit, prior judicial background or other behavioral incidents will be taken into consideration when decisions are rendered. In some situations, a first offense may result in a more serious response, given the nature of the incident. In some cases completion of the requirements may be satisfied in other ways as determined by the Vice President for Student Affairs or designee, and/or a HWS treatment provider.

**Level Zero**

All students who are cited for a violation of the alcohol and other drugs policy for the first time are required to attend an alcohol and other drugs seminar. Violations leading to an alcohol seminar would include the following: possession or use/abuse of alcohol by persons under the age of 21, or being in the presence of alcohol under the age of 21 for the first time. The intent of requiring the attendance at an alcohol seminar by all students who are named in an AOD violation report is to address alcohol use and abuse as a systemic concern. Essentially, inappropriate use is not only a concern for individual students who use but may become a concern for the larger community when heavy-episodic or high-risk use is pervasive. Every student can contribute to creating an environment that rewards responsible behavior and discourages unsafe use. Therefore, any student found present where a violation takes place would likely benefit from education about this issue.

Students who are referred to a seminar will be required to complete the seminar within three weeks of the incident. In addition, students who do not attend a required seminar will have that noted in their record and would face disciplinary action for not attending.

**Level One**

A Level One offense is when a student violates the alcohol and other drug policy for the first time after having been required to attend alcohol and other drugs seminar. This student will be placed on official Level One status. This status should serve as a reminder to students about their behavior and would be regarded as the next step in a progressive disciplinary process. Examples of Level One violations include possession of alcohol under the age of 21 or possession or use of marijuana or paraphernalia by students of any age, and physical presence in a room, common area or during an activity where such use is taking place.

A student at Level One will be required to complete the Brief Interactive Screening (BIS) depending on the violation. Failure to complete the requirement in the allotted time may escalate the offense to a Level Two.

**Level Two**

A Level Two offense is when a student violates the alcohol and other drug policy again after a previous Level Zero or Level One violation, or when a student's use causes personal or academic consequences. Typical sanctions include referral to the multi-week alcohol and other drugs group, and other educational programming or housing probation. Examples of violations at this level might include, but are not limited to, possession of marijuana, drug paraphernalia, alcohol paraphernalia (e.g. alcohol funnels, keg stands, etc.), large quantities of alcohol, kegs or beer balls, or use in public or common areas, or a repeat of a Level One offense. Parents or guardians are also notified by way of a copy of the letter documenting any judicial action.
Please note that students who participate in drinking games or who consume alcohol quickly (e.g., beer pong, shots, funnels—to name a few examples) are considered to be engaged in unsafe behavior, which is minimally a Level Two offense.

**Level Three**
A Level Three offense involves behavior that suggests the excessive consumption of alcohol or other drugs, or leads to an alcohol or other drug-related arrest. Depending on the situation, the student will either be referred to the Associate Dean of Students or the Vice President for Student Affairs or designee. At this level, the student may be referred for individual alcohol and other drugs and mental health assessment(s), screening and/or placed on temporary probation or probation, depending on the individual circumstances. Additionally, this level might require the student to seek outside assistance to address his or her potential substance abuse issues. Parents or guardians are also notified by way of a copy of the letter documenting any judicial action, and a meeting or phone conversation with parents or guardians make take place as deemed appropriate.

The Center for Counseling and Student Wellness will assist the student in facilitating a referral to another treatment provider as necessary. Examples of violations at this level might include, but are not limited to: third violation of policy, alcohol and other drug-related hospitalization, arrest for false identification, DWAI/DWI, blood alcohol content (BAC) .20 or above, or destruction of property.

In situations where a student is intoxicated, the primary concern is the health and safety of the individual(s) involved. Students who receive medical assistance because they have, or another student has, called Campus Safety or residential education may be placed on temporary probation. The student making the call for his/her friend out of concern for this person will not face disciplinary action. Once the student needing medical assistance has completed all recommendations, the temporary probation will be removed from the student's record. Probation will be retroactive to the date of the incident should the student not follow through on recommendations.

Students who are involved in their second Level Three offense may be required to withdraw from the colleges for a period of time, typically one or two semesters. Probation may be immediate for those students who come to the attention of the Colleges and received medical attention that did not occur as a result of the self-report or report of another student.

Students who are responsible for hosting or sponsoring drinking games, as mentioned above, who procure kegs, or otherwise engage in sponsoring behavior that is unsafe by its nature are considered to be responsible for a Level Three offense.

**Level Four**
A Level Four offense is when substance use results in behavior that leads to potential or actual harm to self or others. The student will likely be suspended or permanently separated from the Colleges, and could face referral to local law enforcement agencies. Examples of Level Four violations might include, but are not limited to, growing, manufacturing, selling, or distributing (including the “sharing” of) illegal substances; selling, distributing, or inappropriately using prescribed medications; possessing cocaine, opioids, hallucinogens, amphetamines or hazing with alcohol or substances.

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

Educational outreach is offered throughout the school year by the Health Promotions Administrator, The Center for Counseling and Student Wellness, and various offices and organizations including residential education, athletics, Student Activities, and fraternity houses. Courses in a variety of disciplines (e.g., biology, chemistry, philosophy) also provide academic discussion of alcohol or other drug use. Information about counseling services on campus can be obtained from Hubbs Health Center (315-781-3600) or the Center for Counseling and Student Wellness (315-781-3388). Students who wish to obtain information about off-campus resources can call the Council on Alcoholism and Other Drug Dependencies of the Finger Lakes (315-789-0310), Finger Lakes Addictions Counseling and Referral Agency (315-781-0771), or the Colleges’ Center for Counseling and Student Wellness.

**DRUG-FREE WORKPLACE POLICY**

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

**Sanctions for Violation or Non-Compliance**

Corrective action in accord with the applicable provisions of the *Faculty Handbook*, or the Colleges’ personnel policies, the collective bargaining agreement, or this handbook may be imposed within 30 calendar days of notice, on any faculty, administrator, staff member, or student employee who is found to be in violation of any provision of this policy. In addition, or as an alternative, an employee or student employee found to be in violation of this policy may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program.

**Compliance as a Condition of Employment**

Compliance with the provisions of this policy shall be a condition of employment at the Colleges.

**Employee Obligation for Notification of Conviction**

In compliance with federal law, any faculty member, administrator, staff member, or student employee convicted of violating any criminal drug statute for activity that occurred on Colleges-owned or -controlled property is required to notify the Colleges within five calendar days after the conviction. A faculty, administrative, or staff member shall notify the Office of Human Resources. A student employee shall notify the Vice President for Student Affairs or designee.

**Employer Obligation for Notification**

The Colleges are obligated to notify the appropriate federal contracting or granting agency, if applicable, within 10 calendar days after receiving notice of an employee conviction under paragraph three above. An academic officer, supervisor, or Vice President for Student Affairs 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.

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

**SMOKING**
As the percentage of smokers in the population has dropped, demands of non-smokers to enjoy a smoke-free environment have increased. Reliable studies have demonstrated that secondhand smoke is a significant health hazard. The following policy is established to ensure compliance by the Colleges with local laws and to ensure that members of the Colleges community are protected from undue risk.

Smoking is prohibited in all student residences, and in all indoor common spaces, where no person shall smoke or carry a lighted cigar, cigarette, pipe, or any other form of smoking object. Non-smoking common areas include, but are not limited to, gymnasiums, restrooms, elevators, stairwells, waiting rooms or waiting areas, the swimming pool area, hallways, classrooms, conference or meeting rooms, lecture halls, the Health Center, enclosed work areas containing more than one person, enclosed offices for one person that receive frequent visitors, areas used by more than one person, such as areas containing supplies, photocopying equipment, lounges, the library, the College Store, the post office, the Cellar Pub, and the Chapel.

**Colleges’ Response to Violations of the Smoking Policy**
Similar to violations of the alcohol and other drug policies, the Colleges’ approach to smoking violations is an educational response. The following guidelines represent typical responses when there are repeated violations of the HWS smoking policy. Prior judicial background and other behavioral conduct will be taken into consideration when decisions are rendered.

- **Level 0 (first offense)**: Written warning by the Area Coordinator
- **Level 1 (second offense)**: Meeting with Area Coordinator and educational sanction
- **Level 2 (third offense)**: Meeting with Area Coordinator and referral to Center for Counseling and Student Wellness
- **Level 3 (fourth offense)**: Social probation

**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 through a local community health center is available to students at 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:

1. The Colleges will not consider AIDS as an exclusion criterion in admission decisions or require screening of student groups.

2. 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.

3. 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.

4. The Colleges will make medical monitoring and counseling available for HIV-positive persons, people with AIDS, and other concerned students.

5. 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.

6. 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.

**CRIME STATISTICS**

(Filed, as required by Article 129-A of the New York State Education Law)

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

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PUBLIC ORDER

(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.

The following city ordinances are of particular interest to students:

· The owner of any dog shall not allow, suffer, or permit his or her dog to run at large within the city at any time except when such dog is restrained by a leash or unless accompanied by its owner or other responsible person in full control of such dog.

· 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.

· No person shall drink or otherwise consume liquor, wine, beer, or other alcoholic beverages or have in his or her possession, or carry or transport, any open bottle or open container containing liquor, wine, beer, or other alcoholic beverages while such person is in or upon any public sidewalk, street, highway, parking lot, bathing beach, public park, or other such public place.

· 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.

· 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.

· 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.

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.

Removal of Violators from Campus

If a person, who engages in disorderly conduct, as specified above, persists in this conduct despite notice to cease and desist, and the safety of students, faculty, staff, or college property is in question, the person or persons shall be removed from the campus, if necessary by use of police or other civil authorities.

Any decision to seek an injunction of a civil court or to call in civil authorities will be made by the president or his designee.

The above rules and regulations were adopted and promulgated by the Board of Trustees on February 19, 1971. These rules are not a limitation but are an amplification of existing laws concerning the operation of the Colleges.

VEHICULAR TRAFFIC AND PARKING REGULATIONS
To help preserve the safe and peaceful quality of life on the campus and adjoining residential streets, the following parking and traffic regulations have been established and are in effect.

**Traffic Regulations**

The provisions of the New York State Vehicle and Traffic Law shall be considered applicable and in force on all campus roadways and parking areas. The speed limit on campus roadways and in parking areas is **15 miles per hour**. The speed limits on city streets are 30 miles per hour or as posted. Speed should be slower if appropriate for safety.

A person who operates a vehicle on campus in a careless manner, without regard for the rights of others, or in a manner so as to endanger persons or property will be considered as driving recklessly.

Overloading and riding outside of a vehicle are dangerous at any time and prohibited on campus. These careless behaviors may result in a citation for a moving violation from the Geneva Police Department and/or Colleges’ disciplinary action.

Golf carts and similar unlicensed vehicles utilized by maintenance, athletics, and special programs must be operated on Colleges’ property only and in a safe and responsible manner. They are not permitted to be driven on public streets or sidewalks, except to cross directly from one area of the Colleges’ property to another. The Geneva Police may issue a summons to individuals found operating these vehicles illegally.

Bicyclists are reminded that riding on public sidewalks by anyone over the age of 12 is prohibited in the City of Geneva. The only exception is made for the Campus Safety bike patrol. The New York State Vehicle and Traffic Laws apply to bicycles operated on roadways. Bicyclists must comply with traffic control devices, such as stop signs and red lights, and must use a headlight and rear reflectors after dark.

**Parking Regulations**

**City of Geneva parking information.** Tickets are issued for vehicles illegally parked on city streets within the campus area. The Geneva Police may issue these tickets. Parking restrictions in these areas are indicated by signage and vary depending on location.

*There is no on-street parking in the City of Geneva from 2 a.m. - 6 a.m. from December 1 to April 1 each year to facilitate snow removal. Exceptions only are marked with signage, such as on South Main Street, which has alternate-side parking. These provisions are actively enforced with tickets and towing, whether it is snowing or not.*

Parking is not permitted between the curb line and sidewalks. This includes grass areas and entrances of driveways.

Tickets issued by the City of Geneva have fines that increase if not paid in a timely manner. Collection of fines is actively pursued and may include billing to students’ home addresses, towing of scofflaws, and suspension of vehicle’s registration.

**Campus parking philosophy.** The arrangement of the Colleges’ buildings, roadways, sidewalks, and parking lots in the central campus area is designed to accommodate pedestrian traffic. The system is not designed to accommodate driving a vehicle to and from classes, meetings, 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.

**Campus parking availability.** Parking for students, faculty, staff members, and visitors to Hobart and William Smith Colleges is available at numerous sites within the campus. Use of all Hobart and William Smith parking lots requires proper display of a valid parking permit. Obtaining a valid parking permit does not guarantee a parking space; it provides the privilege of parking in any available authorized space. Lack of an available space does not constitute justification to violate parking regulations. When individuals find their
desired parking area is full, they may use other available authorized spaces in other campus lots or authorized spaces on city streets for which they have a valid permit.

**Parking spaces defined.** Campus parking spaces are normally paved with asphalt and marked with yellow lines on either side. A vehicle parked next to one yellow line is past the end of a row and not in a designated parking spot. Vehicles parked on grass, loose gravel, or dirt are not parked in a legitimate parking slot except where exceptions are noted later. Vehicles parked on a series of diagonal or crossed yellow lines are in a no-parking area. Vehicles parked where there are no pavement markings are in a drive lane or roadway. Violations of the above will result in a parking citation.

*Exceptions:* Potter lot is the exception because it is not paved or marked with striping as is the gravel area behind 113, 121 and 123 Hamilton Street. Parking in Potter is along the east and west sides of the parking surface. Parking spaces at 737 S. Main are only on the north side of the lot. Certain spots are designated for snow removal and cannot be used from December 1 to April 1 of each year.

**Display of permits.** The parking permit must be displayed on the driver’s side, on the outside of the rear passenger window of the vehicle. Pickup trucks and other vehicles without passenger windows must affix the parking decal on the driver’s side of the rear window. Parking stickers must be permanently affixed to the window and not moved from car to car. Temporary permits must be displayed as indicated at the time of issue. Permits must be removed from the vehicle at the time they expire or upon sale or transfer of the vehicle to another party. All permits expire on August 1 each year except student permits that were issued for a single semester and employee permits. The single semester permits expire at the end of the semester for which they were issued.

**Permits for employees.** All vehicles that will be parked on campus must be registered. These permits are renewable every five years or when changing vehicles during the time of employment. Parking decals for faculty and staff members are issued by the Department of Campus Safety at the beginning of the academic year and as needed throughout the year. Faculty and staff must complete a registration form and present it in person or by mail. A parking decal will be issued and must be applied promptly and properly installed on the vehicle.

Newly appointed faculty or staff members or employees registering a vehicle for the first time may be requested to show a Colleges’ I.D. card along with a valid state registration for the vehicle they wish to register. Persons registering by mail in these circumstances must provide photocopies of these documents. Employees may not get a faculty/staff registration for a son or daughter who is a student at Hobart and William Smith Colleges. The students must register the car that they drive as a student vehicle.

**Permits for students.** All student vehicles must be registered. A student must complete a registration form, show a valid student I.D. and state registration and pay the appropriate fee in order to register a vehicle to park on campus. Payment at the Campus Safety Office may be made only by charging it to a student account. A cashier’s receipt from the bursar’s office is also acceptable proof of payment for vehicle registration. A parking decal will be issued and it must be promptly and properly installed on the vehicle.

Vehicles must be properly registered, with the decal correctly displayed, within 3 business days of the first day of classes of each academic semester. Vehicles brought to campus during the semester must be registered immediately. Students who change vehicles after their initial parking decal is issued must update the vehicle registration information at the Department of Campus Safety. A new decal will be issued for a $10.00 fee, if the student is currently paid up to park on campus and has no outstanding parking citations. There will be no additional fee charged if the ‘old permit’ is turned into the parking office at the time a new vehicle is being registered. Students who are upgrading their current permit will have any fees already paid applied toward the upgraded permit type.

Parking permits are required for all vehicles that will be parked on Colleges’ property and operated by students living in Colleges’ residences. This includes residence halls, apartment, and large residence parking...
areas as well as driveways for small houses, co-ops, and theme houses. Parking in driveways is limited to a maximum of three vehicles. These vehicles must not encroach upon the pedestrian sidewalk, lawn, or extend into the street.

**Limited-use permits.** Vehicles with limited-use permits may use Houghton House, Carriage House, Field House, The Village at Odell's Pond and O'Dell's South parking areas at all times, as these are not considered central campus lots. Individuals with limited-use student permits may use central campus parking during non-business hours (5 p.m. - 8 a.m., Monday - Friday, and all times Saturday, Sunday, and school holidays). Limited-use permitted vehicles that are found parked in central campus lots during business hours will be cited for only the parking regulation violations involved and assessed a fine.

**First-year Permits.** All first-year-students who wish to bring a vehicle to campus will have parking assigned in the first-year parking lot. This permit will allow them to park only in the first-year lot (they may also use the Houghton House, Carriage, Bristol Field House lot and Elliott Studio Arts lots). First year students will not be able to park on city streets in and surrounding the campus. These streets include S. Main St., Pulteney St., St Clair St., College Ave., Ver Plank St. and the Garden Apts. Street. This is done to ensure that the streets do not become congested and it will be strictly enforced by the issuance of parking citation by the Department of Campus Safety.

**First-year students can park in student lots and lots that are reserved (during normal business hours) for F, V, C from 5 p.m. on Friday until 12 midnight on Sunday.**

**Commuter Permits.** Students who reside more than one-half mile from the campus are eligible for a commuter permit. Upper class students who live in 380 South Main, Medbery and Geneva Halls are also eligible for a commuter permit. Students with valid commuter permits must park in the Medbery lot. Proof of lease, rental, or ownership must be shown at time of registration.

Residents of the Village at Odell's Pond must register their car to park there. They can only register for a limited-use permit and cannot park in central campus lots during business hours (8 a.m. – 5 p.m. Monday-Friday). This restriction was designed to reduce unnecessary traffic on St. Clair Street and reduce central campus parking. This was necessary for the Colleges’ approval to build the complex.

Fraternity members may park in their house lots without permits. Those who wish to park on campus at any time must register their vehicles. They will be issued a limited-use permit only since they will reside within one-half mile of the campus. They are encouraged to obtain a student registration even if they plan to use campus lots only occasionally.

Student parking permit fees.

**Limited-use permits**
The fee for a limited-use permit is $50 per semester or $70 per year.

**Campus or commuter student permit fees**
The fee for a regular student permit is $125 per semester or $175 per year.

**Daily visitor permits/special conference needs.** Visitors to campus (persons who are not registered students or affiliated with the Colleges) who will not be staying overnight must obtain a daily vehicle pass from the Office of Campus Safety upon arrival on campus. There is no charge. Medbery lot is the designated area for visitor parking and normally has sufficient space available to meet visitors’ needs. Visitors may use other lots designated for V permits if space is available. Persons sponsoring conferences or departments with frequent visitors may contact the director of Campus Safety in advance for any special parking permit needs.
Temporary registrations. The Department of Campus Safety will issue a temporary courtesy vehicle registration to students, faculty, staff, and visitors with a need to bring a vehicle to campus for a brief period of time. This temporary parking permit will be valid for a period not to exceed 10 days. **Students will be issued only one temporary permit not to exceed 10 days during each academic year.**

Special Requests. Students who require special parking due to injury or illness must apply at the Hubbs Health Center. Their request will be reviewed by a healthcare professional and if approved forwarded to the Office of Campus Safety. Campus Safety will issue a temporary permit to the student for the period specified. Students that may need special parking privileges that are not health related may apply for a special permit to the Director of Campus Safety. Approval and issuance of a special permit will be at the sole discretion of the Director.

Annual visitor permits. Visitors who will be visiting the campus for a period longer than 10 days or who visit the campus throughout the year may apply to Campus Safety for an annual visitor's permit. This permit eliminates the need for a visitor to continually obtain day passes. The permit is useful for community residents who regularly use campus facilities such as the field house, the Scandling Center, or the library.

Parent Permits. Parents who plan to visit their student often can get a Parent Permit for the entire year by applying at the Campus Safety Office. These permits are free of charge to parents. Students who have frequent visits from family are advised to have them register their vehicle and obtain an annual Parent or Visitor's permit.

Improper obtaining of permits. Students found to have intentionally obtained a permit to which they are not entitled, displaying a permit reported lost or stolen, or otherwise attempting to defraud the parking system will be referred to the Assistant Vice President of Student Affairs for disciplinary action. They also may be subject to legal charges for theft of services. Vehicles parked on campus with fraudulently obtained permits will be subject to towing at the expense of the owner.

Restricted parking areas. Parking restrictions shall apply at all times unless otherwise indicated. The following are restricted parking areas:

1. Bristol Gymnasium parking lot, faculty/staff permits only, 24 hours a day;
2. Lansing and Eaton Halls parking lot, faculty/staff permits only, 24 hours a day;
3. Pulteney Street lot (south of Sherrill Hall), faculty/staff permits only, 24 hours a day;
4. 99 St. Clair Street lot, faculty/staff permits only, 24 hours a day;
5. Hubbs Infirmary parking, faculty/staff permits only;
6. Winn-Seeley lot, south side of Winn-Seeley gym, 8 a.m.–5 p.m., Monday-Friday, faculty/staff permits only;
7. Medbery parking lot, 8 a.m.-5 p.m., Monday-Friday, faculty/staff, commuter, and visitor permits only;
8. The College Store parking lot, 1 hour customer parking only. **Student parking is not permitted at any time;**
9. Maintenance Building 1 (northwest corner of Medbery lot), 15-minute to 1-hour parking for registration, short-term visitors' parking, and persons conducting business inside;
10. 288 Pulteney Street, north end driveway, faculty/staff permits only between 7:30 am and 5:30 pm;
11. Other restrictions and areas may be indicated by signage.
12. McCormick lot (between McCormick House and Winn Seeley gym).
13. The two parking spaces at the north end of Smith Hall are handicap parking only.
14. Roadway leading to the parking area behind Comstock. No Parking at any time.
15. Admissions Guest parking only on the south side of B&G along the east curb line.
General parking areas. The following central campus parking areas are available for all regular parking permit holders (F, S, C, V) and limited permits (L) after 5 p.m. and before 8 a.m. Monday – Friday except where noted otherwise. The lots designated as peripheral campus lots are available to all permit holders at all times. Most parking areas are named for the building in closest proximity to them. Locations are provided as needed.

Central Campus Lots
- Barn
- McCormick
- 737 South Main Street
- Scandling North (F,V,S)
- Potter
- Brent House
- Miller
- Bampton
- Jackson A and B
- Comstock
- North (at 1 South Cloverleaf)
- Sherrill A (F,V only) and B

Peripheral Campus Lots
- Goldstein Family Carriage House
- Field House
- Katherine D. Elliott Studio Arts
- Houghton House
- Odell’s Village North and South

Campus parking regulations. Parking is prohibited in the following situations: on campus driveways, roadways, or walkways; on any lawn areas; in any restricted areas marked by signs, yellow curb markings, or yellow-line markings; when blocking other vehicles from parking; in spaces designated for the handicapped or for service vehicles, without proper identification; less than a minimum of 15 feet from a fire hydrant or stop sign; double parking; in a fire lane (all driveways, campus roadways, and walkways are considered fire lanes); in areas marked by barricades, fencing, orange cones, or barrier tape indicating a temporary no parking/driving zone; within 25 feet of any building not otherwise marked as a fire lane; or at the direction of a Campus Safety Officer or other Colleges’ official charged with regulating vehicle traffic and parking.

Signage. The Colleges will enforce the parking regulations for the above violations regardless of the presence of any or contiguous signage at the specific location. Reasonable efforts will be made to clearly mark authorized parking spaces with signage or pavement markings. Assume that an area is not for parking if these markings are absent. All individuals who park on the College’s property are expected to know and follow these regulations. The fact that an individual has been incorrectly advised of the parking regulations does not constitute an excuse for violations. The authority in this regard is the current Parking and Traffic Regulations.

There is a sign near the entrance to each parking area identifying the lot by name and the type of permit required to use the lot. The lot is available for use during the times stated unless the lot is otherwise restricted.

The parking decal shows the designated permit type by the letter that precedes the permit number. They are as follows: **F** = faculty/staff (RED); **S** = resident student (BLUE); **C** = commuter student (PURPLE); **L** = limited-use student parking (GREEN); **V** = visitor (BROWN); **Y** = first-year student (YELLOW), and **P** = parent (BURGUNDY).

Consequences. The penalty for violation of parking regulations at Hobart and William Smith Colleges may be a fine, tow and storage of the vehicle at the risk and expense of the person who has registered the
vehicle, loss of campus parking privileges, or other campus disciplinary action. The person who registers the vehicle for campus parking will be responsible for any fines or fees associated with parking the vehicle contrary to the *Parking and Traffic Regulations*. The fines for common violations are as follows:

1. Failure to display current permit $25
2. No-parking zone $25
3. Not a parking space (grass, sidewalk, drive lane) $25
4. Parked in fire lane/roadway $25
5. Parked in loading/service area $25
6. Parked in handicapped space $50
7. Parking in restricted area/lot $25
8. Overtime parking $25
9. Green surcharge $5

Vehicles parked contrary to more than one of these provisions may be cited for multiple violations on the same ticket. For example, a vehicle with no Colleges permit displayed (#1 @ $25), parked in the drive lane (#4 @ $25), of a restricted lot (#7 @ $25); will receive a ticket with three fines totaling $75 plus the mandatory $5 green surcharge.

**Other sanctions.** A $10 administrative fee will be added to parking ticket that has not been paid within 10 business days of the issuance of the ticket. Unpaid tickets will be billed as an outstanding obligation to the Colleges at the end of each semester. Persons who receive five (5) or more parking tickets during the school year are considered to have excessive violations.

**Parking registration and fine payments.** Parking registration fees for students or parking fines may be charged to the student’s account at the Campus Safety office. This is the only method of payment that is accepted at Campus Safety.

**Booting versus Towing.** The determination to immobilize a vehicle or have it towed is based on the circumstances of the violation. If parked in fire lane, roadway, or other spaces where access by an emergency response vehicle may be restricted, the vehicle may be towed. If a persistent violator (5 tickets or more within an academic year) parked in a parking lot or restricted area the vehicle may be immobilized with a vehicle boot, or may be towed. If parked in as handicapped parking space without a valid handicapped permit or handicapped license plate, the vehicle will be ticketed and towed. When a vehicle is towed, arrangements and payments are made with the tow company. Vehicles that are immobilized with a boot will make arrangements with the HWS parking office to have the boot removed, with payments made to HWS. The boot removal fee is $100 and the vehicle owner is notified whenever possible. The boot removal fee will incur $25 for every day thereafter. For example, a vehicle is immobilized with a boot on Wednesday and the owner is notified but does not rectify the citation until Friday, the arrangement will be $150. If the owner of the vehicle does not make arrangements to remove the boot after three days, the vehicle will be towed at the owner’s expense and will also be charged all HWS immobilization fees. The boot will not be removed from a vehicle until all outstanding fees associated with the vehicle's account are paid in full.
Parking appeals. The parking appeals process is intended to give individuals who have unusual circumstances involved with the receipt of a ticket an avenue to be heard and have fines adjusted, if warranted. The fine for a first time offense during each academic year will be waived. Fines for having an unregistered vehicle will normally be waived upon appeal, if there is proof that the vehicle has been registered within 1 business day of the date that the ticket was issued. Other fines not related to vehicle registration will still be valid in these cases.

Appeals must be in writing and received in the Campus Safety office within 10 days from the date the ticket was issued. Late appeals will not be waived. Forms for a written appeal may be obtained at the Campus Safety office. Written notice of the decision or action taken on the appeal will be emailed to the student.

Administrative fees and billing will not occur for tickets that are in the appeal process. Tickets that have had the appeal denied must be paid within 10 days of notification of the decision or they will be assessed administrative fees and billed.

The Colleges reserve the right to correct errors or omissions on parking tickets issued. An error or omission does not automatically invalidate a ticket. Fines may be adjusted accordingly.

Collection of unpaid parking fines. Faculty and staff members are expected to abide by the campus parking regulations. Failure to comply will result in the issuance of parking tickets with fines. Repeated offenses will be referred to the senior staff member who oversees the employee’s area of work. These provisions will also apply to contractor representatives regularly assigned at the Colleges.

Students are authorized to park in designated areas on campus based on residence location and payment of a fee. Any unpaid or unsuccessfully appealed parking fines will be billed as an outstanding obligation to the Colleges at the end of each semester. This includes fines for unregistered vehicles traced to a student’s responsibility, tickets received by others while using a student’s vehicle, and tickets received by guests visiting a student.

Unregistered vehicles and visitors issued annual parking decals will be subject to towing, even when parked appropriately at the time, if there are outstanding parking fines for unpaid or unsuccessfully appealed tickets.

Individuals or vehicles with outstanding parking fines may be denied the ability to register for a permit until the obligations are paid.

Loading/unloading. There are unique times when heavy items need to be loaded or unloaded. Students moving into their residence hall at the beginning of the academic year and moving out at the end of the year may stand for three to five minutes to unload or load items. This is assuming that the vehicle does not disrupt the normal flow of traffic or create a hazard to others. Four way flashers must be used. This applies only to the areas on the College property. There might be a need to load or unload at times other than moving in or out for the year. The Campus Safety office must be contacted to get permission for any such exceptions, otherwise the three to five minutes standing guide to load or unload does not apply.

Parking for longer periods or for other purposes such as running errands, picking up mail, or attending short meetings are not appropriate use of this courtesy. City streets are under the jurisdiction of the Geneva Police Department and vehicles will be ticketed if parked contrary to City ordinances.

Special-events parking. Some special events on campus may cause the temporary closing of parking areas normally available for general use. Other events may cause the temporary use of lawn, roadside, or other
normally prohibited parking areas. Individuals will be directed where to park by Campus Safety personnel or event staff. The use of certain areas to park vehicles during special events does not constitute authorization to do so at all events or at other times because it is convenient to do so.

**Disabled vehicles.** A disabled vehicle must be removed or repaired within the shortest time necessary to contact a tow or repair service to remove or fix the vehicle. The Campus Safety office must be contacted immediately if the vehicle cannot be repaired or removed right away. A description of the vehicle, where it is located and the problem with an anticipated time of removal should be communicated with Campus Safety. This time will not exceed 24 hours after which Campus Safety will have the vehicle towed at the expense and risk of the owner/operator.

**Abandoned vehicles.** A vehicle will be considered abandoned if it is parked anywhere on campus without valid license plates or in a condition unable to be driven on public highways. Abandoned vehicles may be removed from the campus and disposed of under the provisions of applicable laws.

**Vehicle repair.** Minor repair of personal vehicles such as changing tires or replacing a battery or head lamp is permissible in campus parking areas. Changing oil, engine overhaul, repairs requiring the vehicle to be up on blocks or other major repair projects are not permissible for safety and environmental reasons. Any commercial repair of vehicles on campus is prohibited. Flammable liquids leaking from a vehicle may require that the vehicle is towed from campus to ensure the safety of the HWS community.

**Camping.** Camping on Colleges’ property or overnight occupancy of motor vehicles, including motor homes, campers, and vans, in Colleges’ parking lots requires the written permission of the Office of Campus Safety.

**Theft/loss/damage.** The Colleges do not assume responsibility for any loss or damage to vehicles or contents while parked on campus. Parkers are encouraged to have appropriate insurance coverage for their vehicle and its contents. You should make a prompt report to Campus Safety personnel if you are involved in an accident, discover vehicle damage, or experience a theft on campus. Campus Safety personnel will file a report for campus use and assist with making a police report if one is required or will be needed for insurance purposes. The Department of Campus Safety does not routinely provide copies of its reports to individuals or insurance companies. Specific information from reports may be requested and will be provided, if available and appropriate to release.

**ADMINISTRATIVE POLICIES**

**FINANCIAL AID**
The Colleges are committed to providing financial assistance to students who demonstrate financial and academic eligibility and have met all appropriate application deadlines. Students who have demonstrated need as determined from information provided in the College Scholarship Service (CSS) Profile Form and/or the Free Application for Federal Student Assistance (FAFSA) will be assisted from one or more of the following: federal and state grants, employment opportunities, loans, and HWS grants/scholarships. Awards will
incorporate students’ abilities and promise, with the award amount varying according to the financial needs of students and their families. The Colleges offer a limited number of merit scholarships, for incoming students only, based on outstanding achievement or specific talents. The most prominent among the Colleges merit scholarships are the Elizabeth Blackwell Scholarship, Cornelius and Muriel P. Wood Scholarship and the Richard Hersh Scholarship, which are awarded to the most outstanding students in the entering first-year class.

Financial aid is renewed annually for students who continue to qualify on the basis of financial need, are in good standing, meet application deadlines and are making satisfactory academic progress in accordance with the standards prescribed by the U.S. Secretary of Education and New York State, outlined below. Annual applications are required. Adjustments will be made based on changes in the family’s economic conditions. Completed renewal forms must be sent to the processors by May 1. Students will be notified of the renewal process in early spring and if selected for verification, the financial aid recipient will also be instructed to submit copies of their federal tax return and W-2 forms, as well as the federal returns and W-2 forms of their parents.

Normally, students who continue to demonstrate financial need will be aided for four years (or, in the case of transfer students entering the Colleges with advanced standing, for the difference between four years and the year they are in when they enter). Students, except those in the HEOP program, who want their aid extended for up to an entire fifth year must petition the director of financial aid, in writing, stating the educational grounds for an extension.

Students who have questions concerning their financial aid should consult the Office of Financial Aid. Award decisions may be appealed in writing to the Financial Aid Review Committee.

**Standard of Satisfactory Academic Progress for Determining Eligibility for Federal and New York State Student Aid**

(This information also appears in the current HWS Catalogue.)

In compliance with federal and New York State regulations and HWS policies, Hobart and William Smith Colleges have established satisfactory progress standards for financial aid. Students must meet these standards to be eligible to receive HWS, federal or state financial aid payments. These guidelines have been updated to meet federal regulations effective July 1, 2011. Please note this is separate from academic progress as monitored by your Dean’s Office.

I. Satisfactory Academic Progress (SAP) Requirements for Hobart and William Smith Colleges and Federal Financial Aid Programs

To be eligible to receive financial assistance under any institutional or federal grant, loan, or work program, students must demonstrate minimum qualitative and quantitative academic measurement standards. The qualitative and quantitative standards used to measure SAP are cumulative and encompass all enrollment periods, including periods of enrollment during which the student did not receive federal aid. Evaluations are conducted at the end of every semester.

A. Qualitative Measurement

The qualitative measurement standard is expressed as a minimum cumulative grade point average (CUM/GPA). The minimum requirement for Hobart and William Smith students to remain eligible for federal financial aid is a CUM/GPA of 2.0 (‘C’ average) after 2 years of enrollment.

B. Quantitative Measurement
The quantitative measurement standard has two considerations: a maximum time frame in which the student is expected to finish a degree program; and a comparison of the number of courses the student attempted with the number of courses the student successfully completed to determine whether the student is progressing at a rate which will allow the student to finish the program within the maximum time frame. This is referred to as the minimum completion ratio.

Maximum Time Frame: The maximum time frame in which a student is expected to finish a baccalaureate degree program is defined as 150% of the published length of the program measured in attempted courses. For example, according to the HWS catalogue, the Colleges require 32 courses to complete a degree. Therefore, the maximum time frame for which a student may be eligible for aid is the period during which the student attempts 48 courses (32 x 1.5 = 48).

Minimum Completion Ratio: The percentage of attempted courses a student must successfully complete to demonstrate SAP is the minimum completion ratio. For the baccalaureate degree program at Hobart and William Smith Colleges, this percentage is 67%. The minimum completion ratio is determined by dividing the program courses required for graduation by the maximum time frame courses. The application of the completion ratio is cumulative. Therefore, a student must successfully complete 67% of all courses attempted to demonstrate SAP for financial aid. For example, if a student attempted 16 courses during the first four semesters of enrollment, this student would need to successfully complete a minimum of 10 courses to satisfy the SAP minimum completion ratio requirement (16 x .67 = 10.7). The following chart demonstrates completion requirements:

<table>
<thead>
<tr>
<th>Semester Enrolled</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courses Successfully Completed</td>
<td>2</td>
<td>5</td>
<td>8</td>
<td>10</td>
<td>13</td>
<td>16</td>
<td>18</td>
<td>21</td>
<td>24</td>
<td>27</td>
<td>29</td>
<td>32</td>
</tr>
</tbody>
</table>

Grades of Incomplete: Grades of incomplete are only acceptable if changed to a standard passing or failing grade before completion of the next semester of study.

Grades of W (withdrawal): Grades of W do not constitute grades which indicate that the student passed, failed, or completed all work in a course and cannot be counted toward meeting either qualitative or quantitative standards of the federal policies however they are included as courses attempted.

Repeated Courses: Repeated courses are allowed only for those with a grade of D or lower, must be required for your degree and must be approved by your Dean. Approved repeats will replace the previous grade with a recalculated GPA.

For additional information on the Hobart and William Smith repeated course requirements, see the HWS Catalogue at http://www.hws.edu/catalogue/pdf/10_12_catalogue.pdf.

C. Evaluation Periods and Frequency of Measurement
The review of a student's SAP is done each semester after grades are posted by the Registrar. All students are reviewed regardless of the student’s enrollment status or number of semesters attended during the academic year.

D. Cumulative Grade Point Average (CUM/GPA)
The CUM/GPA is the CUM/GPA as determined and recorded by the Colleges’ Registrar on the student’s official HWS academic record. Grades earned at other institutions for transfer credits are not taken into consideration when determining a student’s HWS CUM/GPA or for SAP CUM/GPA requirements.

E. Attempted Courses
For purposes of SAP, a course is considered attempted unless the student’s academic record indicates it is non-credit bearing. Courses transferred into Hobart and William Smith Colleges are also considered attempted courses.
F. Earned Courses
A course is considered successfully completed and earned if the student’s academic record reflects a CR, or an A through D grade for that course. Transfer courses are also included as earned courses.

G. Transfer Courses
Courses transferred into Hobart and William Smith Colleges are considered as both attempted courses and earned courses for the SAP quantitative measurement standards, maximum time frame, and minimum completion ratio.

H. Failure to Demonstrate Satisfactory Academic Progress
Students who do not meet the standards listed above will be placed on a Financial Aid Warning Status for one semester. Students in a warning status will be notified in writing by the Office of Financial Aid Services and will be allowed to receive HWS and federal aid for that semester. If the student fails to be in compliance the following semester he or she will lose eligibility for all HWS and federal aid. Students who fail to meet Satisfactory Academic Progress may appeal for a waiver based on extenuating circumstances and if approved, will be placed on Financial Aid Probation for the following semester.

Waivers
SAP requirements for HWS, federal and state aid may be waived for undue hardship based on:
1) the death of a relative, loved one or student;
2) the personal injury or illness of the student;
3) other extenuating circumstances.

Process for Obtaining a Waiver: The written notification sent to students who do not meet the minimum requirements for SAP outlines the process for obtaining a waiver. The student must complete the SAP Waiver Request Form and return to the appropriate Dean’s office within 2 weeks of receiving notification. Students on Leave of Absence or Withdrawn who plan to return for the fall semester must submit the request for waiver by March 1 or November 1 for the spring semester. The waiver request must include 1) letter from the student explaining the extenuating circumstances for failing to meet SAP, 2) supporting documentation i.e. doctor’s statement, and 3) an academic plan approved by the Dean/academic advisor that will bring student back into SAP compliance. The Dean will make a recommendation to the Office of Financial Aid Services to approve or deny the request for a waiver and the Office of Financial Aid will notify the student in writing within 10 business days of receipt of the recommendation whether or not a waiver is granted.

Note: A waiver will be granted only when there is a reasonable expectation that the student will meet future satisfactory academic progress requirements and a waiver for financial aid SAP is different than an appeal to be readmitted to HWS. See the HWS catalogue for additional information on the process for readmission at http://www.hws.edu/catalogue/pdf/10_12_catalogue.pdf.

Appeals: A student can submit a letter of appeal within five business days to the Office of Financial Aid Services after being denied a waiver. The Office of Financial Aid Services will review the appeal in conjunction with the appropriate Dean and will promptly notify the student of the decision.

I. REINSTATEMENT OF AID ELIGIBILITY
If a student fails to meet the standards of SAP for HWS or federal awards, he/she is not allowed to receive further financial aid unless a waiver is granted or until the student is again meeting minimum standards. For federal awards, if minimum standards are met during the academic year, some aid may be reinstated for the remainder of the year and some may be reinstated for the entire year. Contact the Office of Financial Aid Services for details at finaid@hws.edu.

II. NEW YORK STATE PROGRESS STANDARDS
New York State has established progress standards for the Tuition Assistance Program (TAP) and other State aid programs. For New York State, the student is subject to three progress standards: program pursuit, satisfactory academic progress, and a ‘C’ average requirement.

**A. PROGRAM PURSUIT**

Program pursuit is defined as receiving a passing or failing grade in a certain percentage of a full-time course load, in each semester for which a State aid award is received in order to be eligible for the next semester’s payment. The percentage increases from 50% of the minimum full-time course load (3 courses) in each semester of study in the first year for which an award is received, to 75% of the minimum full-time course load in each semester of study in the second year for which an award is received, to 100% of the minimum full-time course load in each semester thereafter. The following chart illustrates the program pursuit requirements for New York State aid. The chart defines the number of courses a student must complete during the semester for which a State aid payment was received according to the student’s cumulative number of State aid payments received.

<table>
<thead>
<tr>
<th>Number of State Aid Payments Received:</th>
<th>Minimum Courses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>5 and above</td>
<td>3</td>
</tr>
</tbody>
</table>

For program pursuit, a course is considered completed if the student received an A through F or CR grade.

*Grades of I (Incomplete):* Grades of incomplete are only acceptable if changed to a standard passing or failing grade before completion of the next semester of study.

*Grades of W (Withdrawal):* Grades of W do not constitute grades which indicate that the student passed, failed, or completed all work in a course and therefore cannot be counted towards the pursuit of one’s program.

**Repeated Courses:** Repeated courses are allowed only for those with a grade of D or lower, must be required for the degree and must be approved by a Dean. Approved repeats will replace the previous grade with a recalculated GPA.


**B. SATISFACTORY ACADEMIC PROGRESS (SAP)**

The New York State satisfactory academic progress measurement defines the minimum number of earned courses and the minimum CUM/GPA which must be met for each term of study in which a State award is received. The following charts illustrate these standards. A course is considered successfully completed and earned if the student’s academic record demonstrates a CR or A through D grade for that course.

**Students receiving their first NYS award in 2007-08** through and including 2009-10 and opportunity program students first receiving aid in 2007-08 and thereafter

<table>
<thead>
<tr>
<th>Before being certified for this payment number:</th>
<th>A student must have successfully completed (earned) at least this many courses:</th>
<th>With this minimum CUM/GPA:</th>
</tr>
</thead>
</table>

76
Students receiving their first NYS award in 2010-11 and thereafter**

<table>
<thead>
<tr>
<th>Before being certified for this payment number:</th>
<th>A student must have successfully completed (earned) at least this many courses:</th>
<th>With this minimum CUM/GPA:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>0</td>
<td>.0</td>
</tr>
<tr>
<td>2nd</td>
<td>2</td>
<td>1.1</td>
</tr>
<tr>
<td>3rd</td>
<td>4</td>
<td>1.4</td>
</tr>
<tr>
<td>4th</td>
<td>7</td>
<td>1.7</td>
</tr>
<tr>
<td>5th</td>
<td>10</td>
<td>2.0</td>
</tr>
<tr>
<td>6th</td>
<td>13</td>
<td>2.0</td>
</tr>
<tr>
<td>7th</td>
<td>17</td>
<td>2.0</td>
</tr>
<tr>
<td>8th</td>
<td>20</td>
<td>2.0</td>
</tr>
<tr>
<td>9th*</td>
<td>24</td>
<td>2.0</td>
</tr>
<tr>
<td>10th*</td>
<td>28</td>
<td>2.0</td>
</tr>
</tbody>
</table>

*Only students enrolled in an approved Education Opportunity Program may receive a fifth academic year of payment.

**New regulations enacted with the 2011 New York State budget.

C. ‘C’ AVERAGE REQUIREMENT

Students who received their first NYS award payments prior to 2007-08 and have received the equivalent of two or more full years (4 semesters) of New York State-funded student financial aid payments must have a minimum CUM/GPA of 2.0 (‘C’ average) to be eligible for subsequent State aid payments. Students who received their first NYS award payment in 2007-08 and thereafter and have received the equivalent of 4 semesters of New York State-funded student financial aid payments must have a minimum CUM/GPA of 2.0 (‘C’ average) to be eligible for subsequent State aid payments.

D. EVALUATION PERIODS AND FREQUENCY OF MEASUREMENT

New York State SAP and program pursuit standards are measured at the end of each semester for which the student received State aid. Students who do not meet the eligibility requirements will be notified, in writing, by the Office of Financial Aid Services. Letters will also be sent to the appropriate Dean’s office and Student Accounts.

E. REINSTATEMENT OF NEW YORK STATE AID

Students who have lost good academic standing and payment eligibility under New York State SAP, program pursuit, or ‘C’ average requirements may regain eligibility in one of the following ways:
1) Make up the academic deficiencies without the benefit of New York State aid.
2) Apply for and be granted a waiver (see below) based on extenuating circumstances.
3) Be readmitted to the institution after an absence of at least one calendar year (and without receiving State student aid at another institution) by meeting the institution’s academic requirements for readmission.

**Waivers**

The satisfactory academic progress requirements for State aid may be waived for undue hardship based on: 1) the death of a relative, loved one or student; 2) the personal injury or illness of the student; 3) other extenuating circumstances.

The waiver is intended only to accommodate extraordinary or unusual cases directly related to academic performance and the student’s failure to meet the minimum requirements. Documentation must show the relationship of circumstances to the student’s failure to achieve the requirements and the waiver will be granted only when there is a reasonable expectation that the student will meet future satisfactory academic progress requirements.

**Process for Obtaining a Waiver:** The written notification sent to students who do not meet the minimum requirements for satisfactory academic progress outlines the process for obtaining a waiver. The student must complete the SAP Waiver Request Form and return it to the appropriate Dean’s office within 2 weeks of receiving notification. Students on Leave of Absence or Withdrawn who plan to return for the fall semester must submit the request for waiver by March 1 or November 1 for the spring semester. The waiver request must include 1) letter from the student explaining the extenuating circumstances for failing to meet SAP, 2) supporting documentation i.e. doctor’s statement, and 3) an academic plan approved by the Dean/academic advisor that will bring student back into SAP compliance. The Dean will make a recommendation to the Office of Financial Aid Services to approve or deny the request. The Office of Financial Aid will notify the student in writing within 10 business days of receipt of the recommendation whether or not a waiver is granted.

Note: A waiver for financial aid Satisfactory Academic Progress is different than an appeal to be readmitted to HWS. See the HWS Catalogue for additional information on the process for readmission at http://www.hws.edu/catalogue/pdf/10_12_catalogue.pdf.

**Appeals:** A student can submit a letter of appeal within five business days to the Office of Financial Aid Services after being denied a waiver. The Office of Financial Aid Services will review the appeal in conjunction with the appropriate Dean and will promptly notify the student of the decision. New York State aid regulations state that a student may receive an extenuating circumstance waiver only once for the Satisfactory Academic Progress and program pursuit requirements. An extenuating circumstance waiver of the ‘C’ average requirement may be granted more than once.

**Summary of Issues Concerning the Tuition Assistance Program (TAP) at Hobart and William Smith Colleges**

1) **Full-time Study:** Students are certified as full-time for purposes of TAP if they enroll for three or more course units in each semester of the academic year. For purposes of TAP, the institution’s course unit is equated to four semester hours of study. Given the approach to degree study used by Hobart and William Smith, a precise equation in terms of classroom minutes to semester hours of study is not always possible. In light of outside class demands and other activities required of students, however, a four-credit per course equivalent for purposes of TAP is appropriate.

2) **Program Pursuit:** Any course unit that a student passes at Hobart and William Smith counts toward the program pursuit requirement.
(3) **Satisfactory Academic Progress**: The requirement for satisfactory academic progress is cumulative. Students are not required to pass a specified number of courses or obtain a specified grade point average in a particular term as long as their cumulative number of courses passed and cumulative grade point average equals or exceeds the minimum values indicated in the chart above. Decisions whether a student is making satisfactory academic progress to obtain financial aid are made each semester and considered independently of decisions concerning the student’s academic standing at the Colleges.

**BILLING POLICIES**

**Billing Cycle**

The Colleges bill on a semester basis. For fall semester, the billing date is July 1 and the due date is August 1. Spring semester dates are December 2, 2013 (billing) and January 3, 2014 (due). Payment and the remittance stub of the bill should be returned in the envelope included with the bill or paid in person at the Student Accounts Office, Demarest Hall basement, during regular business hours.

Checks, bank drafts, or money orders should be drawn to the order of “Hobart and William Smith Colleges” for the exact amount. A student who is in arrears will have transcripts withheld and may be denied the rights of enrollment or course registration for the current semester until his or her account is settled.

The Colleges reserve the right at any time to amend or add to the policies governing payment of fees, rents, charges, and deposits and to make such changes applicable to currently enrolled students as well as to new students.

There is a payment plan available through Sallie Mae. Arrangements for this plan must be made before the due date of the semester bills. For more information contact Sallie Mae at (800) 635-0120 or at tuitionpay.salliemae.com/hws. Any questions regarding billing should be directed to the Student Accounts Office.

**Refund Policy**

The Colleges will continue to publish the current schedule of charges and refunds with clear designation as to whether these charges are optional or mandatory, refundable or non-refundable. Group health insurance fees are excluded from refunds because coverage will remain in effect for the contracted period. Student activity fee, technology fee, course fees, and vehicle registration fees are also excluded from refunds.

Notification of withdrawal and requests for refunds must be made in writing and addressed to the appropriate dean. Oral requests will not be accepted.

A 100-percent refund will be given to students who withdraw after tuition, fees, room and board have been paid, but prior to the first day of classes.

After the beginning of classes, refund of tuition, room, board and off-campus program charges, and return of all federal and institutional financial aid and education loans and other sources of payments are prorated based on the percentage of the semester the student is enrolled. There is no refund of costs of attendance, and no financial aid or loans will be returned to the grantors after the student is enrolled past 60 percent of the semester. The official withdrawal date used to determine the enrollment period is the later of the date the student’s written request for authorization of official withdrawal is received by the appropriate dean, or the last date the student attends classes.

Examples of the application of this policy may be obtained from the Student Accounts Office at (315) 781-3343.
Late-Payment Fee and Penalties
Tuition and other charges that are not paid when due may be subject to a late-payment charge. The late charge is computed at a rate of 1.5 percent per month on any outstanding balance from the due date until paid in full. This amounts to an annual rate of 18 percent. A minimum penalty of $50 will be assessed on late accounts.

Should a student’s unpaid balance remain outstanding 90 days after the due date, the Colleges reserve the right to transfer the account to a professional collection agency.

Returned Checks
A returned check fee of $25 is assessed when checks are returned to the Colleges as uncollectible. Returned checks result in the loss of check-cashing privileges.

IDENTIFICATION CARDS (IDs)
ID cards are made for all matriculated students and members of the faculty and staff. All members of the community are required to produce a valid ID at the request of Campus Safety staff or other authorized personnel. Refusal may result in disciplinary proceedings.

DINING POLICIES
Meal Plans
The Colleges provide dining arrangements that foster a sense of a community. We believe that having all students have at least some meals in the dining areas creates a connection between students living on and off campus. This also keeps the overall costs of meal plans lower. All students, living on or off campus, except those living in cooperative houses or fraternities, are required to participate in one of the boarding options offered by the Colleges’ dining services (Sodexo). All dining plans begin with Friday breakfast and end with Thursday dinner. Options are described below.

Gold Plan, "The Ultimate Flexibility" - $3,016.50 per semester
For use at SAGA. Snack money and one swipe meals can also be used at The Cafe, Cellar Pub and de Cordova Café. Unlimited access to SAGA. $175 Snack Money per semester to spend at The Cafe, Cellar Pub, de Cordova Café or SAGA. Parents dine free in SAGA (with student) when visiting. Birthday cake for each plan participant. 8 Guest Passes each semester. (Guest Passes do not carry over semester to semester) Plus 30 One Swipe Meals equivalency value of $6.65.

Silver Plan, "The Morning Sleeper" - $2,847.50 per semester
For use at SAGA. Snack money and one swipe meals can also be used at The Cafe, Cellar Pub and de Cordova Café. Unlimited access to SAGA from 11:00 am to close. $125 Snack Money per semester to spend at The Cafe, Cellar Pub, de Cordova Café or SAGA. 6 Guest Passes each semester. (Guest Passes do not carry over semester to semester). Plus 15 One Swipe Meals equivalency value of $6.65.

Basic Plan, "Away For Weekends" - $2,698.00 per semester
For use at SAGA. Snack money can also be used at The Cafe, Cellar Pub and de Cordova Café. 15 meals each week beginning Friday breakfast through Thursday dinner (one access per meal period). $100 Snack Money per semester to spend at The Cafe, Cellar Pub, de Cordova Café or SAGA. 3 Guest Passes each semester. (Guest Passes do not carry over semester to semester).
100/45-meal plans. This option is available to off-campus students and those living in designated houses. It provides for 100 or 45 meals per semester and can be used in Saga, The Café, de Cordova Café, or the Cellar Pub. Information on specific houses included in this plan is available from the Office of Residential Education.

Meals on the 100/45 plan can be used to pay for guests’ meals. Unused meals may be carried over from semester to semester as long as the student enrolls in another meal plan. Meals may not be carried over from year to year.

100 Meal Plan - $1,339.50 per semester
For use at SAGA, The Cafe, Cellar Pub and de Cordova Café. 100 meals per semester. One Swipe Meal* equivalency value of $6.65. $100.00 Snack Money per semester to spend at The Cafe, Cellar Pub, de Cordova Café or SAGA.

45 Meal Plan - $624.50 per semester
For use at SAGA, The Cafe, Cellar Pub and de Cordova Café. 45 meals per semester. One Swipe Meal* equivalency value of $6.65. $50 Snack Money per semester to spend at The Cafe, Cellar Pub, de Cordova Café or SAGA.

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 and de Cordova Café featuring Starbucks Coffee. As an additional value Snack Money is tax exempt.

Medical Exemptions
Students wishing to be excused from board obligation on medical grounds must furnish a letter that details a specific diet plan or multiple-food intolerance list from their doctor. 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 food-service meal structure. Special medical information is discussed with the director of dining services, the Hubbs Health Center staff and the director of residential education to ascertain whether or not special dietary arrangements can be provided. Final approval for the exemption of any student from a required meal plan rests with the director of residential education.

HUBBS HEALTH CENTER POLICIES
A health-care team consisting of multiple registered professional and licensed practical nurses, the college physician, a nurse practitioner and a physician’s assistant 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 women’s clinic, staffed by the mid-level practitioners, addresses women’s health concerns, including preventative care, gynecologic care, and treatment.

Emergency Care
When Hubbs is closed or a health care provider is unavailable the student in need of medical care is advised to call his or her R.A., Campus Safety or go directly to Geneva General Hospital Emergency Room or Geneva General Urgent Care Center.
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 Student Affairs. This administrator will then assume responsibility for notification of appropriate individuals.
This includes any and all communication with parents, friends, family and HWS staff.

HIV Testing
Anonymous HIV testing is available to students at a local community health center at no cost to the client. Confidential HIV testing is available at Hubbs Health Center by appointment. The cost is variable, depending on health insurance coverage.

Medications
The health center dispenses non-prescription and prescription medicines directly to students. Medications obtained from the health center are for the use of the student for whom they are prescribed and for no other person. The cost of them is billed to the student. If a student has insurance coverage for a prescription, the student has the option of a written prescription generated by the Hubbs Health Center staff to be filled at a local pharmacy.
Any prescriptions for controlled substances such as stimulants or narcotics as well as antidepressants require a visit to one of the mid level practitioners or college physician and involve a more in depth evaluation, regulation of use and documentation of same (if appropriate) from the student’s private provider/physician.

Health Insurance
All full-time students are required to have some form of health insurance and are required to pay the Colleges’ annual health fee. The Colleges offer an optional health insurance policy through a professional health insurance carrier. If you would like more information on this it can be obtained by visiting, www.gallgherkoster.com/hws.

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

Students are automatically accorded privileges for the current academic year, and privileges are renewed provided one remains actively enrolled. The Registrar determines the active enrollment status. Students must present a current valid HWS identification card to exercise their privileges.
As a circulating collection, Warren Hunting Smith Library strives to maintain the balance between allowing items to circulate and retaining items so that they are available to other users. The Library categorizes items in the collections into different item types; not all items can circulate and some item types may have limited loan periods.

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

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

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

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

**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.

**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.
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.

Smoking is not allowed anywhere in the facility.

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.

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.

Posting is permitted only in the designated areas of the atrium.

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.

POLICY ON RESPONSIBLE AND ACCEPTABLE USE OF ELECTRONIC RESOURCES

Executive Summary
Hobart and William Smith Colleges (“HWS” or the “Colleges”) makes its Electronic Resources available to best support the needs of its community and the mission of the Colleges. The purpose of the Responsible and Acceptable Use of Electronic Resources Policy (“the Policy”) is to establish and promote the legal, secure, and ethical use of Electronic Resources by all members of the HWS community, and to provide guidelines that protect the Colleges’ Electronic Resources from inappropriate use, while also preserving the information sharing requirements of an academic institution. This Policy also lays the foundation for the common understanding of privacy and information security at the Colleges. This Policy complements the HWS Handbook of Community Standards and all Human Resources, faculty and other policies of HWS. While the Colleges support freedom of expression, the right to privacy, the diversity of values and perspectives, and the right to acknowledgment for all members of the HWS community, privacy cannot be guaranteed. The Colleges may find it necessary to access and disclose information from Users’ computer and network accounts to the extent required by law, to uphold contractual obligations or applicable Colleges’ policies and/or practices, or to diagnose and correct technical problems. When access to a User’s accounts or files is required to diagnose and correct technical problems, the Colleges will make a reasonable effort to contact the User prior to the performance of any corrective measures. Information Technology Services performs regular backups of network based file systems and implements measures to ensure network security. Nevertheless, system failures may lead to loss of data, so Users should not assume security or preservation of data. For these reasons, the ultimate privacy of messages and files cannot be ensured.

Although HWS does not monitor access to online content without cause, Users should be aware that electronic mail, messages, files, and other electronic information sent through computer networks, including the Internet, may not be confidential. HWS reserves the right at any time to monitor and view any files or software stored on HWS systems or transmitted over HWS networks, when it determines there is cause to do so.
The Colleges expect that HWS students, faculty and employees will use the Electronic Resources offered by the Colleges in a lawful, ethical, responsible way, consistent with the mission of the Colleges. External guest Users who are granted the privilege of using the Colleges’ Electronic Resources will be held to the same standards as HWS students, faculty, and employees. All Users of the Colleges’ Electronic Resources are responsible for complying with this Policy. HWS will enforce this Policy and impose sanctions on Users who are found to be in violation of this Policy.

The Colleges offer Electronic Resources primarily to support the educational and operational needs, and the official business of the Colleges. Users of HWS Electronic Resources may use them for personal purposes only as provided in this Policy.

Users who access and use HWS Electronic Resources must take reasonable and necessary measures to safeguard the operating integrity of the systems and their accessibility by others, thus the Colleges reserve the right to inspect, examine, and release the contents of any Electronic Resources, and therefore privacy should not be expected. HWS may release information when authorized by the User; when authorized by the President of HWS, the Chief Information Officer, or the Director of Human Resources; and where otherwise required by law.

The Colleges consider any violation of this Policy to be a significant matter and reserve the right to limit, refuse or revoke access to its Electronic Resources and Institutional Data. Users may appeal a decision by the Colleges through existing grievance and appeal policies/procedures with the Office of Human Resources (for faculty and staff), the Faculty Grievance Committee (for faculty, when appropriate), or Student Affairs (for students). Appeals by all other Users will be handled by the HWS office deemed appropriate by the Colleges. Discretion in interpreting, implementing, modifying and revising this Policy is vested solely in the Colleges. Changes to this Policy will be communicated to all Users. This Policy is intended to be an addition to existing HWS policies and does not alter or modify any existing HWS rule or regulation. Supporting Policies may be developed that build on this Acceptable Use Policy and Users must abide by those Supporting Policies as well.

Introduction and Definitions

The purpose of this Policy is to provide guidance to all Users on the proper and acceptable use of the Colleges’ Electronic Resources. This policy applies to all Users. Users must use Electronic Resources in compliance with the law and all HWS policies. This Policy should be read and applied together with the HWS Handbook of Community Standards, Supporting Policies, and all Human Resources, faculty and other policies of HWS.

Users have a responsibility to protect HWS Electronic Resources and Institutional Data over which they have access or control. Any student User who suspects a violation of this Policy or who has knowledge of potential vulnerabilities or security loopholes in an HWS system or network should immediately notify the Vice President of Student Affairs or the Chief Information Officer. All other Users who suspect a violation of this Policy or who are aware of potential vulnerabilities or security loopholes in an HWS system or network should immediately notify the Vice President of Human Resources or the Chief Information Officer.

The following definitions apply throughout this Policy:

- **Electronic Resources** includes, but is not limited to, all computer-related and multimedia equipment, computer systems, software/network applications, interconnecting and wireless networks, facsimile machines, voicemail and other telecommunications equipment and facilities, as well as all transmitted or stored information (collectively “Electronic Resources”). Electronic Resources also include
personal computers, servers, wireless networks and other devices not owned by the HWS but connected to HWS' Electronic Resources. Electronic Resources also include personal computers, servers, internet connections, wireless networks and other devices not owned by the HWS but connected to HWS' Electronic Resources, regardless of whether these items are located on property owned by the Colleges.

- **Institutional Data** includes, but is not limited to, all data created, collected, maintained, recorded or managed by the Colleges, its staff, and agents working on its behalf. It includes data used for planning, managing, operating, controlling, or auditing the functions of HWS, and also includes research data that contains personally identifiable subject information, proprietary information, and trade secrets (collectively “Institutional Data”). The definition of Institutional Data is not intended to alter the ownership of such data.

- **Users** of Electronic Resources, and Institutional Data owned or managed by HWS, include, but are not limited to, HWS faculty and visiting faculty, staff, students, external persons and guest users, or organizations and individuals accessing external network services, such as the Internet and Intranet (collectively “Users”).

**Access, Personal Use and Privacy**

**Access**

Access to and use of the Colleges' Electronic Resources and Institutional Data is a privilege which may be granted to members of the HWS community and revoked, subject to authorization and existing grievance/appeals policies.

HWS reserves the right to limit, refuse or revoke access to its Electronic Resources and Institutional Data and to remove material stored or posted on campus computers when applicable HWS policies, contractual obligations, or state or federal laws are violated. Violations of this Policy will be addressed under the existing policies and rules regarding students, faculty and staff, as discussed in the Enforcement section of this Policy. Computer use privileges may be temporarily or permanently revoked pending the outcome of an investigation of misuse or a violation of this Policy, other HWS policies, contractual obligations or the law. If a User who loses his/her computing privileges cannot perform his/her job without those privileges, the User's employment may be suspended or terminated, as outlined in HWS policies and procedures as applicable.

HWS will act to preserve the integrity and functionality of Electronic Resources, to restore the integrity of the system in case of malfunction, abuse, virus, or similar issue, and to protect data and assets. If needed, HWS may, in its sole discretion, deactivate User accounts, passwords or other access codes, delete files, or disable access to Electronic Resources in other ways.

Although HWS does not block access to online content, HWS reserves the right to do so where online content violates applicable law or activity diminishes the capacity of HWS networks, threatens the welfare of the Colleges or its core academic mission, or in cases of misuse.

**Personal Use**

The Colleges expect that Users will use Electronic Resources for purposes related to their studies, teaching, research and service responsibilities, their discharge of duties as employees, their official business with HWS, and other HWS authorized activities. Except as stated above, any personal use of Electronic Resources related to operating a personal business or commercial enterprise is expressly prohibited unless permission to do so has been specifically granted.
Personal use of Electronic Resources is allowed but should not interfere with the ability of other Users to access Electronic Resources, as reasonably determined by the Colleges. Personal use may not interfere with the primary educational mission of the Colleges and may not otherwise violate this Policy, other HWS policies or applicable laws.

**PRIVACY**

HWS may find it necessary to access and disclose information from Users’ computer and network accounts to the extent required by law, to uphold contractual obligations or applicable Colleges’ policies and/or practices, or to diagnose and correct technical problems. HWS may release information when authorized by the User; when authorized by the President of HWS, the Chief Information Officer, or the Director of Human Resources; and where otherwise required by law. When access to a User’s accounts or files is required to diagnose and correct technical problems, the Colleges will make a reasonable effort to contact the User prior to the performance of any corrective measures. Information Technology Services performs regular backups of network based file systems and implements measures to ensure network security. Nevertheless, system failures may lead to loss of data, so Users should not assume security or preservation of data is guaranteed. For these reasons, among others, the ultimate privacy of messages and files cannot be ensured.

Users should be aware that electronic mail, messages, files, and other electronic information sent through computer networks, including the Internet, may not be confidential, except to the extent required by law. HWS reserves the right at any time to monitor network activity when it determines there is cause to do so and to monitor and view any files or software stored on HWS systems or transmitted over HWS networks when authorized by provisions described in this Policy.

HWS will enforce this Policy and impose sanctions on Users who are found to be in violation of this Policy no matter how the violation came to the attention of the Colleges. The range of sanctions is described in the Enforcement section of this Policy.

Institutional Data is a valuable asset and must be maintained and protected by Users. If confidential information, including personally identifiable information, must be stored and/or transmitted, it must be done so in accordance with HWS policy and the protocols established by individual departments to ensure that confidential information is not improperly or unlawfully accessed or distributed.

Institutional Data related to students may not be examined or otherwise disclosed unless in accordance with the Colleges’ Educational Records Policy and the Family Educational Rights and Privacy Act. While HWS cannot guarantee complete confidentiality of Institutional Data, including information collected for research purposes (e.g., anonymous survey data or information collected by participants in research studies), HWS will not disclose personally identifying Institutional Data when it has guaranteed confidentiality, except where required by law. HWS will adhere to the standards set forth herein when authorization is granted to access a User’s e-mail, electronic files, or voice mail.

**SECURITY**

Users are responsible for the use of their computer accounts. This responsibility begins with selecting a secure password in accordance with the Colleges’ Supporting Password Policy and requires that Users maintain the confidentiality of that password and change the password regularly to assure the continued security of the account. If unauthorized use of an HWS account is discovered or detected, the incident should be reported immediately to Information Technology Services.

**Responsibility of Users**
**RESPONSIBLE AND LAWFUL USE**

All Users of the Colleges’ Electronic Resources and Institutional Data are expected to use such resources in a responsible, ethical and legal manner consistent with HWS’ mission and policies. All Users agree to be subject to this Policy.

Users of the Colleges’ Electronic Resources and Institutional Data must comply with all policies, procedures, standards, contracts and licenses of the Colleges, as well as all applicable laws. Users are responsible for discovering, understanding, and complying with applicable policies, procedures, standards, contracts, licenses and laws.

**INTEGRITY OF ELECTRONIC RESOURCES**

Users of Electronic Resources are expected to maintain the integrity of such resources. For example, Users may use only their own accounts and may only use such accounts in a manner consistent with this Policy. Users, including those standing behind local routers, wireless routers, and firewalls, must be identified or identifiable when using Electronic Resources.

Users may not: (1) supply false or misleading data or circumvent the restrictions associated with Electronic Resources; (2) attempt to modify documents or the work product of others or to interfere in any manner with Electronic Resources in the absence of written authorization from proper HWS authorities, except for those who are expected to do so in the normal course of their authorized HWS duties/business; or (3) use or create unauthorized links to HWS’ Electronic Resources.

**INTEGRITY OF NETWORK SYSTEMS**

The Colleges may offer various network systems and services for designated Users. Users granted access to networks offered by the Colleges must use the networks in a manner consistent with this Policy, as well as all other HWS policies and applicable laws. No one may access networks offered by the Colleges unless expressly authorized to do so. Users who have been granted permission to access a network may not allow unauthorized persons to use the network.

**COPYRIGHTS AND LICENSES**

Subject to “fair use” exemptions, Users must respect the ownership rights of others in their use of Electronic Resources, including the use of personal, published or proprietary software, and refrain from plagiarism, invasion of privacy and similar violations. Users of HWS’ Electronic Resources must comply with all copyright and licensing restrictions. Unauthorized downloading and distributing copyrighted material is prohibited. Users may not use Electronic Resources to copy, modify, inspect, or distribute proprietary data, directories, records, programs, files, disks or other software in violation of legal statutes. Users must also comply with the Copyright Protection and File-Sharing Supporting Policy.

**PROHIBITED USES**

The following statements of prohibited conduct are accompanied by specific examples that highlight types of activities that constitute irresponsible or unacceptable use of HWS Electronic Resources. This list is not intended to be exhaustive or complete. It should, however, serve as a set of examples of obviously inappropriate behavior. If you are in doubt about the appropriateness of something you want to do, ask first by contacting the Director of Human Resources or Information Technology Services (if you are an employee User), the Vice President of Student Affairs or Information Technology Services (if you are a student User) or Information Technology Services (if you are a guest User).

1. **The Colleges’ Electronic Resources and Institutional Data may not be used to damage, impair, disrupt or in any way cause purposeful or reckless damage to the Colleges networks or computers or external networks or computers.**
For example, Users may not:

a) Use HWS Electronic Resources to breach security of any computer system;

b) Knowingly give passwords or IDs for others to use;

c) Use computer resources to send large amounts of email (e.g., email “spamming”) to an internal or external system;

d) Send email of any type to someone’s address in an effort to disable his/her email capabilities;

e) Run DNS or DHCP servers that interfere with the Colleges’ network;

f) Forge, alter or willfully falsify electronic mail headers, directory information, or other information generated and/or maintained by the Colleges;

g) Use Electronic Resources irresponsibly or in a manner that adversely affects the work of others. This includes recklessly or intentionally (a) damaging any system by introducing computer “viruses” or “worms,” (b) damaging or violating information not belonging to you, or (c) misusing or allowing misuse of Electronic Resources; or

h) Use the Colleges’ Electronic Resources for non-HWS-related activities that unduly increase the network load (e.g., chain mail, network gaming and spamming).

2. Unauthorized access, reproduction or use of the resources of others is prohibited.

For example, Users may not:

a) Make copies of materials in violation of copyright laws (note that it is not a violation of this Policy for faculty Users to make copies of materials in a manner that is permissible under the U.S. Copyright Law, including the Fair Use Limitation);

b) Create or execute any computer programs intended to (a) obscure the true identity of the sender of electronic mail or electronic messages, (b) bypass, subvert, or otherwise render ineffective the security or access control measures on any network or computer system without the permission of the owner, or (c) examine or collect data from the network (e.g., a “network sniffer” program);

c) Use Electronic Resources to gain unauthorized access to resources of the Colleges or other institutions, organizations or individuals;

d) Use false or misleading information for the purpose of obtaining access to unauthorized resources;

e) Access, alter, copy, move or remove information, proprietary software or other data files without prior authorization;

f) Use Electronic Resources to discover another individual’s password;

g) Use Electronic Resources to obtain personal information (e.g. educational records, grades, or other HWS files) about individuals without their permission;

h) Use Electronic Resources to forge an academic or other type of document;
i) Use Electronic Resources to take without authorization another person's work or to misrepresent one's own work;

j) Use electronic communication to collude on examinations, papers, or any other academic work;

k) Use Electronic Resources to falsify or fabricate research data;

l) Use Electronic Resources to obtain or release another individual's or entity's proprietary information or trade secrets;

m) Use Electronic Resources for remote activities that are unauthorized at the remote site;

n) Intercept transmitted information intended for another User;

o) Scan computers for open or used ports; or

p) Impersonate or use pseudonyms or other methods of disguising, concealing, or misleading others as to the identity of the User.

3. Use of the Colleges' Electronic Resources to interfere with or cause impairment to the activities of other individuals is prohibited.

For example, Users may not:

a) Send chain email or information about pyramid schemes;

b) Send large quantities of email to an individual's mailbox (e.g., email "spamming") which has the effect of interfering with or causing impairment to that individual's activities;

c) Change an individual's password in an effort to access his/her account; or

d) Communicate or use any password, personal identity information such as personal identification number, student records, individually identifiable health information, as well as credit card number or other personal or financial information without the permission of its owner.

4. Use of the Colleges' Electronic Resources to harass or make threats to specific individuals, or a class of individuals, is prohibited both by this Policy and New York State Law (see N.Y. Penal Law §§ 215.51, 240.30).

For example, Users may not:

a) Send unwanted and repeated communications of a harassing or threatening nature by electronic mail, voicemail or other form of electronic communication;

b) Send communications by electronic mail, voicemail or other form of electronic communication which are harassing or motivated by bias on grounds of race, ethnicity, religion, gender, or sexual orientation or any other protected status (including, without limitation, any communication that violates HWS' Sexual Misconduct Policy or any other HWS non-discrimination policies);

c) Use email or newsgroups to threaten, stalk or harass; or

d) Post or send via any form of electronic communication personal or sensitive information about individuals that may harm or defame.
5. Use of HWS Electronic Resources and Institutional Data in pursuit of unauthorized commercial activities is prohibited.

For example, Users may not:

a) Use Electronic Resources for personal commercial gain, or other commercial purpose without approval by the Colleges;

b) Use Electronic Resources to operate or support a non-HWS-related business;

c) Use Electronic Resources in a manner inconsistent with the Colleges’ contractual obligations to suppliers of those resources or with any published policy of the Colleges;

d) Use the Colleges’ granted Web-space for personal monetary gain (this includes clickable ads and pay-per-click banners) without approval by the Colleges;

e) Register domain names to the Colleges’ network without proper approval in advance; or

f) Transmit commercial or personal advertisements, solicitations, endorsements or promotions unrelated to the missions of the Colleges.

6. Use of HWS Electronic Resources or Institutional Data to violate city, state, federal or international laws, rules, regulations, rulings or orders, or to otherwise violate any HWS rules or policies is prohibited.

For example, Users may not:

a) Violate copyright and trademark laws, which includes but is not limited to pirating software, illegally uploading or downloading music, movies, or images (MP3s and videos), and illegally uploading or downloading books whether in audio format or otherwise;

b) Effect or receive unauthorized electronic transfer of funds;

c) Disseminate child pornography or other unlawful material; or

d) Violate any laws or participate in the commission or furtherance of any crime or other unlawful or improper purpose.

7. Use of Electronic Resources must be consistent with the Colleges’ policies on academic honesty.

For example, Users may not:

a) Use Electronic Resources to sabotage or plagiarize the work of others;

b) Enter or change a grade without proper authority; or

c) Gain access to prohibited material in an effort to cheat.

8. Users may not use Electronic Resources in a manner inconsistent with this Policy, regardless of access to list serves, bulletin boards, and other Internet resources not affiliated with HWS. HWS is not responsible for the information contained on Internet resources not affiliated with HWS and Users bear the risk of their actions with respect to other Internet resources.

For example, Users may not:

a) Copy material from Internet resources in an effort to plagiarize or cheat; or
b) Hold HWS responsible for information found on the Internet.

Enforcement

REPORTING VIOLATIONS

Users who believe they have witnessed or been a victim of a violation of this Policy should notify or file a complaint with the appropriate HWS office as follows: student Users should report suspected violations to the Vice President for Student Affairs; faculty Users should report suspected violations to the Provost and Dean of the Faculty; staff Users should report violations to the Director of Human Resources and guest Users should report violations to Information Technology Services.

VIOLATIONS OF THIS POLICY

Violations of this Policy will be addressed under the policies and rules regarding students, faculty and staff. The violations described in this Policy range from minor to extremely serious; even a minor offense may be treated severely depending on the circumstances. Certain violations may also be subject to prosecution under federal, state or local laws.

PENALTIES FOR VIOLATIONS

The range of possible sanctions as a result of violations of this Policy includes, but is not limited to, the following:

• Loss of Electronic Resources privileges;
• Disconnection from the Colleges’ Network;
• Disciplinary sanctions as outlined in the Handbook of Community Standards; Faculty Handbook, Administrative Handbook, or the SEIU Collective Bargaining Agreement;
• Reassignment or removal from HWS housing and/or suspension or separation from the Colleges;
• Prosecution by the Colleges or third parties to the fullest extent of the law;
• Referral to other authorities for civil litigation and criminal prosecution under applicable civil or criminal laws; and
• Discipline of employees up to and including termination of employment.

Nothing in this Policy shall supersede any grievance procedures in the Faculty Handbook or applicable collective bargaining agreement.

APPEALS

Users may appeal a decision by the Colleges through existing grievance and appeal policies/procedures with the Office of Human Resources (for faculty and staff), the Faculty Grievance Policy (for faculty, when appropriate), or Student Affairs (for students). Appeals by all other Users will be handled by the HWS office deemed appropriate by the Colleges.

INDEMNIFICATION AND RESTITUTION

The Colleges reserve the right to seek restitution and/or indemnification from Users for damage(s) arising from violations of this Policy and/or negligent use of the Colleges’ Electronic Resources; Users agree that they will be responsible for paying such restitution and/or indemnifying the Colleges.
Questions about this Policy should be submitted to the office of the Colleges’ Chief Information Officer.

Campus Network Policy

Scope
This Supporting Policy applies to all Hobart and William Smith (“HWS” or the “Colleges”) community members and Users, as defined in the Colleges’ Responsible and Acceptable Use of Electronic Resources Policy (“Acceptable Use Policy”) who connect to and access the Colleges’ network, technology infrastructure, or Electronic Resources as defined in the Acceptable Use Policy. This Supporting Policy is intended to supplement the Acceptable Use Policy. Defined terms within this Supporting Policy have the same meaning as their definition in the Acceptable Use Policy.

Purpose and Need
The campus of the Colleges is joined by a robust network that facilitates the exchange of information, communication, and collaboration amongst its community members. Much of our academic learning and many business operations travel along this network. It is in the best interest of the Colleges and its community to ensure that its network is available, dependable, and has the integrity to carry out our day-to-day operations. This Supporting Policy enhances the reliability of the network for all Users by ensuring that all network cabling, wireless access points and other devices attached to the network are properly administered and support the mission of the Colleges.

Specifications and Guidelines
All Users must adhere to the following items when connecting to the campus network. Explicit written consent from Information Technology Services is needed to grant exceptions to these specifications and guidelines.

- Campus network equipment, wiring, or jacks may not be altered nor extended beyond its intended location.
- Users must obtain permission from the Colleges' IT Services before using a hub, switch, router, or any port sharing device to extend the HWS network to ensure that it does not create a security exposure for the Colleges. Users who install a hub, switch, router or any port sharing device are responsible for the network traffic originating from that device. Users who install a wireless router must enable security to prevent outside parties from accessing it. Users are responsible for the consequences of their use of a hub, switch, router, or port sharing device, including but not limited to damages that may occur as a result.
- The campus network is for the Colleges’ community member use and others associated with the Colleges who are explicitly granted access. Guest Internet access may be provided as a courtesy to other non-community members or community members who do not chose to authenticate using their Colleges’ credentials.
- As the network is a shared resource, excessive or improper use of network resources which inhibits or interferes with the use of the network by others is prohibited.
- Users who connect a computer to the network that is intended to be used as a server, or who permit others to use their computer, are responsible for any use of their server that is in violation of this policy.
- Disruptive network services such as DHCP and BOOTP, which interfere with network traffic, are prohibited.
- The Colleges have the sole authority to assign network addresses to computers attached to the network. Therefore, a user may not manually configure their computer to use a network address that is not assigned by IT Services. Furthermore, causing a host name conflict by use of a host name already existing on the network is prohibited.
- The Colleges reserve the right to disconnect any computer that has known security vulnerabilities.
• Eavesdropping, monitoring, probing, password cracking, scanning, “sniffing”, or otherwise malicious hardware or software is prohibited on the network. Knowingly installing, releasing, possessing, or disseminating such hardware or software is a violation of this Supporting Policy.

Non-compliance
Failure to comply with this Supporting Policy may result in actions as specified in the Acceptable Use Policy.

Exceptions
There are no exceptions to this Supporting Policy.

Additional Information
For any additional information, visit the IT Services Web site at www.hws.edu/itservices.

Enforcement of the AUP
Information Technology Services shall have the authority to examine files, passwords, and account information on central servers to protect the security of Colleges computing resources and its users. Violations of this Appropriate Usage Policy will be adjudicated, as appropriate, by Public Safety, Information Technology Services, the Office of the Vice President for Student Affairs or designee, and/or the Office of Housing and Residential Education. Sanctions as a result of violations of these regulations may result in any or all of the following:
• Loss of Colleges computing privileges;
• Disconnection from ResNet;
• College judicial sanctions as prescribed by the student Code of Conduct;
• Monetary reimbursement to the Colleges or other appropriate sources;
• Reassignment or removal from HWS housing and/or suspension or expulsion from campus;
• Prosecution under applicable civil or criminal laws.

COLLEGE STORE POLICIES
Refund Policy/Book Returns
A sales receipt must accompany all refunds. General merchandise is accepted for refund or exchange when accompanied by a receipt. Textbooks are accepted for refunds during the first two weeks of the semester for which they were purchased. Reprints are not returnable. All books purchased new must be returned in new and saleable condition, i.e., free of marks and/or highlighting, scratched covers and torn pages. Textbooks sold in shrink wrap must be returned with shrink wrap intact.

Textbooks returned for refund during the first week of the semester require a sales receipt. Textbooks returned for refund during the second week of the semester require a sales receipt and a drop/add slip. The College Store reserves the right to refuse a refund or exchange based upon non-compliance with this policy, condition of merchandise and/or unreasonable lapse of time.

Shoplifting Policy
Shoplifting is a serious crime and will not be tolerated by management or staff of The College Store. Alleged shoplifters will be reported to the Office of Campus Safety and/or to the local police for investigation and prosecution.

Check-Cashing Privileges
Checks for up to $20 may be cashed at The College Store on Monday through Friday only. Checks for more than $20 and up to $100 may be cashed at The College Store from 3 until 4 p.m. Monday through Friday only, as funds allow. Bad checks result in the loss of check-cashing privileges as well as a $20 surcharge. Check-cashing privileges are reinstated upon payment of the amount of the check and the returned-check fee at the student accounts office in the basement of Demarest Hall.

Policy link on store's website http://collegestore.hws.edu/SiteText.aspx?id=1880

USE OF THE COLLEGES’ NAME AND INSIGNIA
No student organization or individual student of the Colleges shall use the name of Hobart and/or William Smith College(s) or purport to represent the Colleges or their students by public performance, publication, intercollegiate or national affiliation, or by participation in activities not strictly intercollegiate without permission from the Colleges. Authorization must be secured from the Vice President of Communications. The “HWS” Web site icon may be used only on webpages that represent official academic/administrative units, or to highlight hyperlinks to the official HWS Web site.

CLUB REGISTRATION
Each active club is required to register at the beginning of the fall semester in order to be recognized for the academic year. Registration consists of the submission of a form to the Office of Student Activities with the names of the executive board members for the club, and a copy of the club’s constitution with appropriate revisions. The deadline for registration is three weeks following the Involvement Expo to be held on August 30, 2013. Clubs may not have access to their BAC funds until they are officially registered.

If a club does not meet this deadline, it will not be recognized by the student governments or the Colleges and may not operate as a group on campus. Clubs and organizations that lose recognition may, along with any new clubs, apply for recognition at the first student government meetings of each month.

VANDALISM
All members of the community must respect the physical plant of the Colleges. Destructive behavior, whether or not intentional, will lead to a disciplinary review. Such behavior includes destruction, defacement, removal, and unauthorized use of Colleges-owned property. Students who engage in such behavior will be referred to the appropriate disciplinary body. Persons who damage property will be required to pay for repair or replacement. Persons who create safety hazards shall pay any fines imposed on the Colleges as a result of that hazard.

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

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

Approval. All student vendors must obtain approval from one of the following: director of Student Activities, director of residential education, the director of athletics or the director of the College Store,
depending on the nature of the product vended and the point of sale. All other vendors (including vending machine representatives) must be approved by the director of administrative services. No student has power or authority to enter into a verbal or written contract on behalf of the Colleges or clubs recognized by the Colleges.

Vending Criteria. All vending must conform to the following:

- 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.
- Any use of Hobart, William Smith, Statesmen, Herons (text or graphics), the Block “H” or Block “WS,” any derivation of the seals or any combination(s) thereof are protected marks of the Colleges and may not be used without permission.
- Individuals vending on campus must be current students or employees of the Colleges.
- Outside vendors are only allowed on campus when sponsored by a campus club, activity, or department.
- All persons vending on campus must comply with rules and regulations regarding designated vending areas.
- Materials sold on campus property should not be detrimental to the educational mission or image of the Colleges.
- No material sold on campus should promote the use of alcohol or the brand name of any alcoholic product.
- No material sold on campus should violate, in letter or spirit, any of the Colleges’ human rights or harassment policies. Sale of racist, sexist, or homophobic materials, for example, is forbidden.

Vending areas and requirements.

- 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.)
- 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.
- The director of Student Activities will schedule times for all vending in the Scandling Center, the Barn, and other areas approved by the campus services committee. The College Store will schedule vending hours at the store.

Accountability. All individuals, clubs, or activities vending on campus are accountable to the approving persons stipulated above.

Enforcement.

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

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

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 pets other than aquarium fish are allowed.

Campus pet policy.
• Students are not permitted to have animals living or visiting in any Colleges-operated residence. If an animal is found in a residence hall, the owner will be fined $150 a day, until notification of the new location of pet and verification has been received. The owner will also face college disciplinary action.
• Every animal on Colleges’ property must either be leashed at all times or under strict voice control and in the company of its owner. Pets may not be tied to trees or signposts.

FRATERNITY POLICIES

FRATERNITY RECOGNITION
All fraternities must first be recognized by their corresponding national or international fraternity headquarters; of equal importance, these fraternities must also be recognized by the Colleges’ Board of Trustees. This recognition is defined as the formal process by which Hobart and William Smith Colleges agree that a fraternity may function on campus, enroll its members from the student body through recruitment activities and identify its chapter with Hobart College.

Registration
1. A current constitution and bylaws.
2. A completed registration form available in the Student Activities Office.
3. An updated membership roster of all HWS undergraduate members. The overall grade point average for the chapter must be at least 2.5.
4. A certificate of commercial general liability insurance (with no host, liquor, or hazing liability exclusions) to the College’s satisfaction in the amount of $1,000,000 per occurrence, $2,000,000 aggregate, naming the Colleges of Seneca as an additional insured, using the following language in the certificate: “The Colleges of the Seneca, its trustees, officers, employees, and volunteers, are hereby declared to be an additional insured under
the terms of this policy. This insurance will not be canceled, non-renewed or modified without thirty (30) days written notice to the Vice President for Finance.” The Colleges may modify this requirement under certain circumstances.

5. A new member education program that is approved by its respective national association and submitted to the Student Activities Office prior to membership intake. The chapter must conduct its new member program in accordance with the letter and spirit of HWS policy, inter/national organizations’ policies, and the New York State laws prohibiting hazing. No new member program may last more than seven (7) weeks and must conclude no later than three (3) weeks before the final examination process begins. Students who participate in recruitment processes must be in good standing both academically and socially, be at least of sophomore standing and have a cumulative GPA of at least 2.5. Bid rosters and new member initiation rosters must be completed and submitted to the Student Activities Office by the requested times.

6. New member anti-hazing contracts must be signed within 24 hours of accepting a membership bid or offer and submitted to the Student Activities Office within 48 hours of signing. In addition, all new members are required to attend an HWS sponsored anti-hazing program during the new member education period.

7. Names, addresses and telephone numbers of at least 2 alumni advisory board members.

8. For chapters with housing facilities, completed housing rosters and dining information submitted to Residential Education and the Student Activities Office by the first Friday of each semester.

9. Develop an annual Chapter Development Plan that outlines the chapter’s specific purpose and goals for the current year and submit it to the Director of Student Activities within three weeks of transitioning newly-elected officers. The Chapter Development Plan must include information on how the chapter will work to attain the purposes and goals of the organization in terms of the Chapter Accreditation Program

Chapter Accreditation Program

Chapter Accreditation Program

Fraternities were created with the strong belief that close association with fellow college men will aid in the building of friendship and the promotion of excellence in academic, community and social life. The fraternity men at Hobart College 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 fraternity system as well as promote and help to further benefit the social and academic well-being of the Hobart and William Smith Colleges community. This accreditation model is supported by the following assumptions:

A. Fraternities are an integral process of the educational environment at Hobart and William Smith Colleges and are expected to support the values held by the Colleges.

B. The Colleges recognize the benefits provided by the fraternal organizations that exist outside of the classroom.

C. Mutual responsibility is necessary between the Colleges and the fraternities; thus fraternities, by way of an accreditation model, are held accountable to the Colleges.

The accreditation process shall cover four specific categories, and each category shall have a minimum value of points that must be achieved. A fraternity can and should strive to meet more than the minimum point requirements.

<table>
<thead>
<tr>
<th>Category</th>
<th>Minimum Acceptable Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scholarship</td>
<td>500 points</td>
</tr>
<tr>
<td>Citizenship</td>
<td>500 points</td>
</tr>
<tr>
<td>Leadership</td>
<td>500 points</td>
</tr>
<tr>
<td>Self Directed</td>
<td>150 points</td>
</tr>
</tbody>
</table>
**Point Allocation**

Points for activities shall be determined by the model itself based on documentation provided by the fraternity to the Director of Student Activities throughout the year. Specific documentation forms shall be located in the Student Activities Office and must be filled out and returned to Student Activities on the last designated business day of each month or as specifically outlined. The Assistant Director of Student Activities will then approve the points and inform the College that the fraternity has completed its accreditation process. The approval process is designed:

- To provide a consistent and fair accreditation review process;
- To ensure submitted forms are properly categorized;
- To validate the hard work and dedication of our Greek members.

**The Evaluation Period**

The evaluation will cover a calendar year to coincide with the fraternity Presidents’ terms of office. Accreditation shall take place the week before final exams of the fall term. The accreditation process will evaluate a chapter’s progress in the series of categories listed under “Accreditation Areas of Evaluation”. A chapter may earn one of four designations during the accreditation program:

- **Level 4**: The fraternity has exceeded the minimum point value totals in all categories.
- **Level 3**: The fraternity has achieved the minimum point value totals in all categories.
- **Level 2**: The fraternity has failed to meet the minimum point values in one specific category but has achieved the overall minimum point value totals.
- **Level 1**: The fraternity has failed to meet the overall minimum point value total in more than one category.

As part of the evaluation process, a meeting shall be held within the first two weeks of the spring term at which the president of each fraternity shall meet with the Director of Student Activities as a means of becoming familiar with the accreditation process.

**Failing to Meet Minimum Fraternity Standards**

Fraternities that earn designations of Level 1 or Level 2 during the annual accreditation review, which takes place at the end of the fall semester, will be placed on immediate “conditional recognition” status for the following year.

- **Conditional Recognition Status**: In the case of a fraternity falling short of meeting the minimum point standards, the fraternity shall be responsible for additional requirements to complete for the following recognition year. These “make up” requirements will be in addition to normal annual point requirements. If the fraternity fails to meet minimum and additional point standards for two consecutive years, they will be placed on a “suspension status” during the subsequent year.

- **Review**: Furthermore, the fraternity will meet with the Council on Fraternal Life (COFL) and only then can any of the above limitations be lifted. Starting in the final week of November, the fraternity must participate in the accreditation process. If the fraternity fails to meet the standards at this time, the chapter will close for a period not to exceed 3 years.

**Council on Fraternal Life (COFL)**
The Council on Fraternal Life reviews and drafts policies that support the Greek community. The Council regularly advises the Dean of Hobart College and the Vice President for Student Affairs or his designee regarding policies and practices of the fraternal system, and makes decisions it believes will improve the system and enhance its contributions to the Colleges educational mission and overall student environment.

Responsibilities Include:
- Monitor fraternity operations and overall Greek community health.
- Review, approve, and pass amendments to the Fraternity Accreditation Program.
- When necessary, hear all appeals of Chapter Accreditation Program evaluations.
- Provide oversight to the fraternal colonization, re-colonization and chartering processes.
- Hear and render decisions regarding chapter (not individual) sanctions related to HWS Community standards violations up to and including charter revocation.
- Conduct research, submit reports and complete other projects on Greek related issues.
- Refer requests for appeals to the Dean of Hobart College and the Vice President for Student Affairs.

Membership:
The Council will consist of 16 members (2 Ex-Officio, 8 voting, and 6 chapter reps) to represent a broad cross-section of the HWS community.

Ex-officio:
- Dean of Hobart College (convener)
- The Director of Student Activities (chair).

Voting members:
- Assistant Director of Student Activities/Greek Advisor
- Residential Education Representative
- Two faculty appointed by the Dean of Hobart College in consultation with the vice President for Student Affairs, each to a two-year term.
- Two representatives from the Interfraternity Council as selected by the IFC, each to a one-year term.
- Two non-Greek students, one male and one female, appointed by the Hobart Student Government and William Smith Congress presidents, each to a one year term.

HOUSING
Men who belong to fraternities may live in their fraternity house during their sophomore, junior and senior years following their new member period that takes place in their sophomore year. House occupancies must observe the 80-20 rule. No less than 80% of occupants must be a mix of Juniors and Seniors and no more than 20% may be Sophomore active members. New members (“pledges”) are not allowed to live in fraternity houses.

Fraternity presidents must submit a housing list to Residence Education in each semester for approval the following semester. The fraternity is obliged to provide a room to students listed for the entire term or academic year depending on their Res Ed contract. Any student who moves out of a fraternity must move back into Colleges owned housing. He may not move off-campus without the permission of the Residential Education office.

All college-managed fraternity housing must maintain 95 percent occupancy or the fraternity residents must meet a corresponding financial obligation, or, according to the lease agreement, the Colleges may assign nonaffiliated students in order to fill the housing vacancies. Occupancy levels will be determined each semester following the second week of that semester. If such a financial obligation arises, additional room
charges necessary to meet the 95 percent occupancy target will be charged to the appropriate student account for that semester.

NEW MEMBERS/PLEDGING
The values of the accreditation program should be reflected in each fraternity’s new member education process as well as its overall operating program. First-year students are ineligible to pledge, join or affiliate with any fraternity by vote of the Board of Trustees in 1991.

Recognized Fraternities:
Fraternities recognized by the Colleges for the 2013-2014 academic year are Chi Phi, Delta Chi, Kappa Alpha Society, Kappa Sigma, and Theta Delta Chi.

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

Hobart & William Smith Colleges
Unrecognized Fraternity Policy

Hobart and William Smith Colleges seeks to foster a rich learning environment for all students through a vibrant and engaged co-curricular community. This community, in part, is comprised of our recognized Greek chapters.

Almost from its foundation, Hobart College (est. 1822) has hosted a fraternity system. As recognized chapters, fraternities provide opportunities for meaningful service, hands on leadership experiences and offer critical support for members through the rigors of college life. Furthermore, fraternities can offer a unique living/learning experience that promotes life-long bonds with its brothers and alumni.

Recognized fraternities also enjoy access to the full range of HWS resources including membership in and funding through the Interfraternity Council (IFC), use of campus facilities and a wide range of professional services including property maintenance, in-house printing, postal services, event planning and management, safety inspections and trainings.

These mutual, productive relationships allow our Greek community to thrive. When these relationships are compromised and cease to be productive, the Colleges have the duty and right to suspend or terminate fraternity recognition. During periods of suspension or expulsion, unrecognized fraternities are prohibited from operating under their fraternity name, letters or likeness thereof.

By definition, an unrecognized fraternity is a once recognized Hobart chapter or colony whose members are prohibited from using the fraternity name or engaging in activities, events, or entering into contracts/agreements whether verbal or written for any fraternity related function while a student at Hobart.

Activities or events may be considered fraternity 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 fraternity activities or events may result in disciplinary measures above and beyond their original sanctions.

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

This policy is under the administrative purview of Hobart and William Smith Colleges Committee on Fraternity Life (COFL) the Vice President for Student Affairs, the Hobart College Dean’s Office and the department of Student Activities.

DISCIPLINARY PROCESS

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

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

Students are not only members of the Colleges community but are also members of the larger society. The Colleges can begin disciplinary proceedings against any student, whether enrolled or on leave, who has violated these community standards or other policies of the Colleges, whether the behavior occurred on or off campus. Behavior that reflects negatively on the reputation of the Colleges and its students is, in and of itself, grounds for possible disciplinary action. In cases where a student’s behavior violates local, state, or federal law, the student may become involved in civil or criminal proceedings independent of the Colleges’ proceedings, as well as the Colleges’ judicial system.

HEARING BODIES
The Vice President for Student Affairs
Ultimate responsibility for the maintenance of campus discipline rests with the administration and trustees and cannot be relinquished to the students. Accordingly, notwithstanding any provisions of the student constitutions or bylaws, the Colleges reserve the right to discipline, place on probation, suspend, or separate any student whose conduct or academic standing is unsatisfactory, without prior hearings before the student courts or other campus committees. The Vice President for Student Affairs or designee often conducts an administrative review of a student, which is a regular component of the Colleges’ disciplinary system. Such a review is the equivalent of a hearing.
**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 for Student Affairs or designee, and two dean's staff members, one from each college, *ex officio*. The COS is responsible for hearing all cases involving academic standards and issues of academic integrity. As well, the Vice President for Student Affairs or designee will typically refer all cases to the Committee 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; or (5) staff and/or faculty members are involved in the incident.

The Committee will initiate a disciplinary hearing at the request of the Vice President for Student Affairs or 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 the evidence is not sufficient to support continuation of the hearing process. 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.

**Procedures for Violations of Academic Integrity.** Ordinarily, any student suspected of any violation of the principle of academic integrity defined previously, or suspected of assisting another student in such an act, will be reported to the dean of the student’s college. Appropriate documentation will also be submitted. After reviewing the evidence and meeting with the student suspected, the appropriate dean or designee will decide whether or not to bring the matter to the Committee on Standards for a hearing to determine whether a violation occurred, and any sanction. The grade for the particular assignment will be withheld until the COS 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 COS has concluded its hearing.

At the hearing, the Committee on Standards will review the evidence and question the course instructor, the student suspected, and any witnesses with direct and relevant information about the matter. It will determine whether any violation on the principle of academic integrity occurred and recommend an appropriate penalty to the dean and grade for the assignment and/or course to the instructor. The dean and the course instructor customarily accept the recommendation of the Committee on Standards, but the final decision about the penalty rests with the dean, and the final decision about a grade rests with the instructor.

**Procedures for Violations of Non-Academic Policies.** The hearing will be arranged by the Committee on Standards. After conducting the hearing, the Committee will reach a decision whether the student violated campus policy, and make a recommendation regarding sanctions. In reaching a final decision regarding sanctions, the student’s complete record while at the Colleges will be considered. The Committee will inform the student of its decision and recommendation at the close of the hearing.

**Student Hearing Boards.** Each College has its own student hearing body: the William Smith Judicial Board and the Hobart Student Court. Although other types of cases may be referred to the boards at their and the Vice President for Student Affairs or designee’s discretion, the boards will typically hear cases when students have violated residence hall policies or engaged in disorderly conduct.

**SECTION A: ELECTIONS**
The Judicial Board is composed of nine members. A campus-wide election will be held every spring semester to fill six of the nine positions. The three remaining positions will be elected by the third week of fall semester. Each candidate shall submit a petition of 50 names to the vice president on the week before the election is to be held. Each member shall serve a term of one year and may petition for re-election. The ballot must be arranged to ensure that the Board has two first-year members, two sophomore members, two junior members, and three senior members.

**SECTION B: POWERS**
The Judicial Board shall have the following powers:

(1) To guarantee the rights of all students and uphold the regulations of the Colleges. Congress shall be the final authority for all constitutional questions.
(2) To discipline any student it finds responsible for conduct detrimental to the best interests of the College community. At all times the individual’s right to defense must be guaranteed.
(3) To establish all procedures and rules that it deems necessary for the conduct of its business. Approval for said procedures shall be the concurrence of five justices.
(4) To adjudicate all issues referred to it by any segment of the College community, if it deems necessary.
(5) To initiate any investigation into a student matter that it deems necessary. However, in no case can the Board bring charges against any student.

**SECTION C: CHAIRWOMANSHIP**
(1) She shall be the presiding officer of the Board and shall sign all Board documents.
(2) She shall be responsible for the records of the Board and for seeing that all pertinent information is furnished to the Board. She shall designate such other officers of the Board as she deems necessary for the conduct of the Board’s business.
(3) She shall be responsible for seeing that all correct judicial procedures are observed and shall be the source of all rulings in hearings before the court.
(4) She shall see that the duties and responsibilities of the Board are upheld.
(5) She shall be responsible for all communications and documents of the Board.

**SECTION D: NOTIFICATION OF CHARGES**
Before the beginning of every case, the defendant(s) must be presented with a formal written list of the charges with which she is accused.

**SECTION E: VOTING**
The number of votes necessary for determination of responsibility shall be established by the following table:

<table>
<thead>
<tr>
<th>No. of justices sitting</th>
<th>Votes needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>7</td>
</tr>
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</table>
(2) Each justice shall have one vote.
(3) A justice must remove herself from ruling in a case in which she has direct personal involvement.
(4) A justice must disqualify herself from ruling in a case in which she cannot be objective.

SECTION F: RECORDS
Records of all cases must be maintained. The votes of five justices can demand that the records of any case be closed to the public and placed in private file. Publication of students’ names in relation to cases shall be at the discretion of the Board.

SECTION G: NOTIFICATION OF DECISION
In each case, the individuals shall be notified of the verdict, with a written explanation of the decision.

SECTION H: SANCTIONS
The Board can impose sanctions including warnings, social probation, fines, community service, and recommendations of suspension and expulsion to the Vice President for Student Affairs or designee. All collected fines shall be forwarded and added to the general fund of Congress.

SECTION I: HEARINGS
All Judicial Board hearings are private. They shall be closed to everyone except the Board, the accused, process observers, Vice President for Student Affairs or designee, and witnesses the Board wishes to hear. All deliberations (i.e., votes) are in private and remain confidential.

**Governing Principles**: Hobart Student Court. *(excerpted from Hobart Student Government Constitution)*

SECTION 1. The Student Court shall be composed of seven Hobart students who shall be elected at large by the Hobart student body. All seven justices shall serve two consecutive semesters.

SECTION 2. The Student Court shall have the following powers:
(1) To guarantee the rights of all students and uphold the regulations of the Student Association. It shall be the final authority for all constitutional questions.
(2) To discipline any student it finds guilty of conduct detrimental to the best interests of the Student Association and the College community. At all times the individual's right to defense must be guaranteed.
(3) To establish all procedures and rules that it deems necessary for the conduct of its business. Approval for said procedures shall be the concurrence of five court justices.
(4) To adjudicate all issues referred to it by any segment of the College community, if it deems it necessary.
(5) To initiate any investigation into a student matter that it deems necessary. However, in no case can the Court bring charges against any student.

SECTION 3. The chairman of the Student Court shall be the justice with the most seniority.
(1) He shall be the presiding officer of the Student Court, and shall sign all Student Court documents.
(2) He shall be responsible for the records of the Court and for seeing that all pertinent information is furnished to the Court. He shall designate such other officers of the Court as he deems necessary for the conduct of the Court’s business.

(3) He shall be responsible for seeing that all correct judicial procedures are observed and shall be the source of all rulings in hearings before the court.

(4) He shall see that the duties and responsibilities of the Court are upheld.

(5) He shall be responsible for all communications and documents of the Court.

SECTION 4. Before the beginning of every case, the defendant(s) must be presented with a formal written list of the charges with which he is accused.

SECTION 5. The number of votes necessary for conviction shall be determined by the following table:

(a) No. of justices sitting | Votes needed for conviction
--- | ---
7 | 5
6 | 4
5, 4 | 3

(b) Each justice shall have one vote.

(c) A justice must disqualify himself from ruling in a case in which he has direct personal involvement.

SECTION 6. Records of all cases must be maintained. The records of any case are closed to the public and placed in private file. FERPA considers such records to be educational and, hence, protected.

SECTION 7. In each case, the individuals shall be notified of the verdict, with a written explanation of the decision.

SECTION 8. The Court can impose the following penalties: warnings, social probation, fines, community service, and recommendations of suspension and permanent separation to the Vice President for Student Affairs or designee. All collected fines shall be forwarded and added to the general fund of the Student Association.

SECTION 9. All Student Court hearings are private. They shall be closed to everyone except the court, the accused, process observers, the director of residential education, and witnesses the Court wishes to hear. All deliberations (i.e., votes) are in private and remain confidential.

**DISCIPLINARY PROCEDURES**

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

**General Guidelines for Disciplinary Hearings**

These are the general guidelines for all hearing bodies:

(1) Although there is no statute of limitations in matters involving any alleged violation of community standards, a hearing is normally conducted in a timely fashion, as close to the date of the alleged violation as possible.
(2) Proceedings of all hearings are confidential. Members of the hearing panel and the student(s) involved may not discuss testimony or evidence with any person not on the board or not directly involved in the case.
(3) Legal counsel may not be present at the hearing.
(4) The offended party and the accused have the right to be present to hear all testimony.
(5) The standard of proof in all judicial cases shall be a preponderance of the evidence.
(6) Students shall be given the opportunity to present relevant information and witnesses on their behalf. All testimony and evidence presented is at the discretion of the hearing officer and/or the chair of the hearing panel.
(7) The proceedings of the hearing will be tape recorded. The tape will be kept for 10 days and is only available to the Vice President for Student Affairs or designee, in order to assist the Vice President for Student Affairs or designee in determining the validity of an appeal.
(8) Students accused of violating Colleges’ policy and whose cases are referred for hearing by a board or committee shall have a pre-hearing meeting with the Vice President of Student Affairs or designee.
(9) Accused students will be notified in writing of the final decision. Students may appeal decisions under specific situations. (See Appeals section)
(10) The Colleges reserve the right to make the final decision in each case.
(11) All interpretation and revision of this policy is at the discretion of the Vice President for Student Affairs

Sanctions
Some cases may require a variety of disciplinary actions. In most cases, one or more of the following sanctions is employed:

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

Reprimand. A student may receive written notification of extreme disapproval for the violation.

Restitution. A student may be held financially responsible for damages or may be fined.

Educational activity. This may include, but is not limited to, a public presentation, research project, or hours of service to a department or agency that would help the student better understand his or her behavior and its consequences.

Revoking privileges. This may include, but is not limited to, asking the student to move from his or her current residence or forfeit housing lottery privileges, or excluding the student from participating in certain activities, clubs or organizations.

A sealed letter. A sealed letter may be placed in the student’s file, to be opened only in the event of another violation.

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.
Fines. The student may be assessed a fine as a penalty for the inappropriate behavior typically as restitution for damages.

Deferred Suspension. Deferred suspension places a student with a more serious or frequent violations of Colleges policy on notice regarding their behavior. During this deferment, if any violation of the Colleges’ policy is confirmed the required withdrawal from the Colleges is the next step. A deferred suspension is issued for a stated period of time and includes specific restrictions on the student.

Required withdrawal. Required withdrawal removes the student from the Colleges for a stated period of time. This may include prohibiting the student from attending classes, social events, or other functions, being employed by the Colleges, or visiting Colleges’ grounds or facilities without the written permission of the Vice President for Student Affairs or designee. In all cases, the student must apply to the Vice President for Student Affairs or designee for readmission.

Permanent separation. In the case of a permanent separation, the student is required to leave the Colleges and is not eligible for reinstatement.

Records
All disciplinary records will be maintained by the Dean of the appropriate college. Notations of permanent separation and required withdrawal appear on the student's permanent transcript and, therefore, become a permanent part of that student's file.

Disciplinary files are confidential. However, disciplinary history is provided to the appropriate judicial body if subsequent violations occur. Students may inspect their records at reasonable times. These records may also be inspected by Colleges’ officials and may be released only in accordance with the Colleges’ Educational Records Policy, described under “Human Rights Policies.”

Appeals
Students may appeal sanctions ranging from probation through permanent separation. An appeal must be submitted by the student, in writing, with relevant documentation, within the time stipulated by the board hearing the case or, if unstipulated, within five calendar days of the date on which the official notification of the decision was written. Student appeals will be considered when any of the following apply: (1) A student alleges that a decision did not follow from evidence; (2) A student has new evidence that could not have been brought forward at the time of the hearing; (3) A student believes procedural violations occurred.

Dissatisfaction with the decision is not grounds for an appeal.

Interim Suspension

1. The Vice President for Student Affairs or designee or designee may impose an interim suspension for the following three reasons:
   a. To ensure the safety and well-being of members of the College community or to preserve College property;
   b. To ensure a student’s own safety or well being; or
   c. If a student poses a threat of disruption or interference with the normal operations of the College.

2. During the interim suspension, a student may be denied access to College activities, facilities and/or classes or other privileges for which the student might otherwise be eligible, as the Vice President for Student Affairs or designee or 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 Student Affairs or designee or designee determines that the reason for imposing the interim suspension of privileges no longer exists.