

ACADEMIC AND STUDENT LIFE STANDARDS OF CONDUCT

ACADEMIC HONESTY

Academic Honesty Policy

Colby-Sawyer College is committed to high standards of academic honesty. Such standards are central to the process of intellectual inquiry, the development of individual character, and the maintenance of a civilized community. The integrity of academic life depends on cooperation among students, faculty, and staff.

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Forms of Academic Dishonesty

Plagiarism

Plagiarism is the submission of material as one's own work that is not the result of one's own effort. It is the use or imitation of the work of another author or artist, and representation of the work as one's own. Examples include:

1. quoting paragraphs, sentences or parts of sentences from other sources without the use of quotation marks and without the use of citations - sources include but are not limited to the following:
 - printed sources such as books, essays, or articles;
 - video and audio sources, such as taped interviews or television programs;
 - papers, videotapes, and audiotapes by other students; and
 - electronic sources such as Internet, World Wide Web, and CD Rom;
2. paraphrasing pages, paragraphs or sentences without acknowledging the source;
3. using other people's ideas without giving them credit; and
4. writing a paper based on outside sources without using footnotes and a complete bibliography.

A publication detailing proper documentation is available for purchase in the campus bookstore. The rules for documentation apply to written and oral work for all courses.

Cheating

1. Giving as well as receiving aid on papers, laboratory experiments, quizzes, and exams.
2. Handing in papers that are the product of another person's work.
3. Using notes during a quiz or exam without authorization to do so.
4. Copying from another student's paper for an assignment or during a quiz or exam.
5. Using one paper for two different classes without prior arrangement with professors involved.

Responsibility of Students

1. Students are responsible for knowing what constitutes plagiarism and cheating.
2. Students are not permitted to submit the same paper or project for credit in more than one course without prior written consent of all faculty members and proper citation of the work itself. Students using elements of one of their prior papers/projects in a subsequent paper or project should properly

cite the original. Occasionally, a student may wish to use the same research in the fulfillment of assignments for more than one course. In such cases, the student must obtain the permission of each of the professors involved.

3. No student shall procure without the written authority of the faculty member the questions or answers of any exam to be given at a subsequent time or employ unauthorized aids while taking an exam.

4. No student shall aid another in violating the academic honesty policy (sell a paper; take another's test, etc.)

5. Students and all members of the college community are expected to maintain high standards of academic integrity.

Responsibility of the Faculty and Staff

1. Faculty and staff shall exercise caution in the preparation, duplication, and security of examinations.

2. Faculty shall take reasonable steps consistent with the physical conditions of the classroom to reduce the possibility of cheating on examinations.

Procedures

If a faculty member believes the policy on academic honesty has been violated, the following procedures shall be followed:

1. The faculty member may choose to discuss the incident and/or the process to be followed with a department chair.

2. Discuss the incident with the student.

3. Responsive options

a. If the student admits violating the policy on academic honesty, or if the student is unavailable to discuss the incident with the faculty member, the faculty member may decide the penalty, which may include failure of the examination, assignment, or course. The faculty member will submit the student's name, a written description of the alleged violation, and the penalty to the academic dean and to the student. If the student admits violating the policy, he or she will acknowledge admission in writing to the academic dean.

b. If the student denies violating the policy on academic honesty and the faculty member is not persuaded of the student's innocence, the faculty member will decide on the penalty, which may include failure of the examination, assignment, or course. The faculty member will submit the student's name, a written description of the alleged violation, and the penalty to the academic dean and to the student.

c. If the student is not enrolled in the class in which the alleged violation occurred (e.g. the student sold his or her paper from last term, or took a test for another student), the academic dean will discuss the incident with the student and take appropriate action.

4. In addition, the academic dean may investigate any matter involving academic honesty when he or she has additional information about previous violations concerning the student involved. The Administrative Hearing procedures will be used and other penalties may be levied.

5. If an alleged violation took place in a class taught by the academic dean, then the academic vice president and dean of faculty will appoint a department chair (other than the chair of the department in which the academic dean taught) to assume the academic dean's role.

Academic Honesty Appeals Process

Simple disagreement with a faculty member is not sufficient basis for an Academic Honesty appeal. An appeal may be granted when there is (1) reasonable claim of new evidence likely to have a significant effect on the outcome of the hearing, (2) evidence of significant irregularity in the initial sanctioning process, (3) and/or imposition of an inappropriate or excessive penalty. A petition for appeal of a faculty decision must be submitted in writing to the academic dean within ten (10) days of written notification of the decision. The petition for appeal must be sufficiently detailed to allow for reasonable judgment on whether to grant the petition.

If an appeal is denied by the academic dean, no further institutional recourse is available. If an appeal is granted, the academic dean will assemble an Academic Honesty Appeals Board of an impartial group of faculty, staff, and students. The board will consist of the academic dean (chair, non-voting), two faculty members, two students, and a staff member selected by the academic dean. In the event that a faculty and/or student feels that he or she should not participate in the hearing of a particular case, the academic dean can appoint other faculty and/or student members. A voting member of the board is not permitted to abstain from voting once the facts and issues of the case have been presented.

If the academic dean grants an appeal, a hearing will take place within ten (10) working days unless the college is not in session, in which case, the hearing will take place as promptly as circumstances allow. During an Academic Honesty Appeals Board hearing, all parties will have the opportunity to present evidence and arguments relevant to the disputed decision.

An Academic Honesty Appeals Board hearing may result in one of the following actions: (1) confirmation of the original faculty decision, (2) confirmation of the original faculty decision and alteration of the original penalty, or (3) reversal of the original faculty decision and cancellation of the original penalty.

Burden of Proof/Evidentiary Standards

Formal rules of evidence do not apply; however, evidence must conform to basic standards of fairness. The respondent is presumed not responsible and the complainant must present sufficient evidence to demonstrate a violation of the Academic Honesty policies to a reasonable person. The Academic Honesty Appeals Board shall not consider written statements against a student or faculty member unless the student or faculty member has been advised of their content, the identity of those who made them, and has been given the opportunity to rebut unfavorable inferences which might be drawn from them. A simple majority is required for a valid finding and for sanctioning.

Hearing Advisor

A student or faculty member involved with an Academic Honesty Appeals Board hearing, either as a party or as a witness, may be accompanied during the hearing by an advisor from within the Colby-Sawyer College community, exclusive of legal counsel or members of the Academic Honesty Appeals Board. Such advisors may confer with the student or faculty member during the hearing, but may not participate in the hearing, or speak in place of the involved party.

Notice

An Academic Honesty Appeals Board will verbally notify the complainant and the respondent of their decision on the day of the hearing. Written

notification of the appeals decision will be returned to the respondent and the complainant within five (5) days of the hearing.

Records

Records involving cases of academic dishonesty shall be maintained in the Academic Dean's Office.

ALCOHOL - EXPECTATIONS, RESOURCES, AND POLICIES

The college recognizes its duty to educate students, faculty, and staff members concerning the significant problems surrounding the misuse of alcohol and other drugs. The abuse and illegal use of alcohol and other drugs is detrimental to scholastic endeavors, enjoyable social activity, personal growth, and the welfare of the campus community.

Individual Responsibility Statement: All members of the Colby-Sawyer community are expected to be familiar with and abide by college policies governing the use of alcohol and other drugs. Members of the college community, as well as visitors and guests, must be aware that they are legally responsible should their behavior, with respect to alcohol or other drug use, jeopardize themselves, the safety or welfare of any person, or result in damage to property. Alcohol or drug consumption is not a valid excuse for inappropriate behavior. Behavior resulting from intoxication, or any chemical substance which causes or can be expected to cause harm to any person, damage to property, or disruption to the college environment is not acceptable and will be dealt with directly through the conduct system and/or the appropriate law enforcement agency.

(Refer to "[Right to Know Statistics](#)" on the department of Campus Safety web site or in the brochure which the department distributes annually for information about campus resources and New Hampshire State Laws regarding alcohol and illicit drug use as well as information about the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226))

Alcohol Policies:

Alcohol will be disposed of by authorized college personnel (i.e., Campus Safety officers, Residential Education staff, etc.) when confiscated. Colby-Sawyer College authorized personnel have the right to question and receive clarification from any person regarding containers or rooms that could contain an alcoholic beverage.

Possession and Consumption

1. Underage persons may not possess or consume alcohol anywhere on campus.
2. Consumption of alcohol and open containers of alcoholic beverages are prohibited in all common or public areas unless at a college sponsored event. Students who are consuming alcohol in private rooms with the doors open will be considered consuming alcohol publicly.
3. Persons of legal age (21 years old or older) may possess or consume alcohol in residence hall student rooms where at least one of the assigned residents is of legal age and present. Persons of legal age may purchase and consume alcoholic beverages in a licensed campus area during college-sponsored events.
4. Persons of legal age may not buy, sell, provide, furnish, barter, or exchange alcoholic beverages under any circumstances to/with minors.

5. Underage students who possess alcohol containers with any amount of alcohol will be considered in possession of alcohol. Bottles or cans intended for decorative purposes must be rinsed and completely emptied.

Excessive Possession and Consumption

6. Persons of legal age may not possess more than 288 ounces of alcohol or exceed any one of the following:

- 24, 12-ounce containers or beer or equivalent
- 20, 12-ounce wine coolers
- 12, 12-ounce mixed alcoholic packaged beverages
- one half gallon of wine
- 1.75 liters of distilled spirits

7. Common sources of alcohol, such as kegs, party balls, cases of beer, bars, alcoholic punches, or boxed wines, are prohibited on campus other than at college-sponsored events.

8. Grain alcohol is not permitted on campus.

9. The excessive use of alcoholic beverages, blood alcohol content above .08, will result in disciplinary action.

10. Drinking practices that promote intoxication such as, but not limited to, funneling, drinking games, etc., and the paraphernalia which supports these practices, are not allowed. Drinking games are contests or practices in which participants encourage or require other participants to consume alcohol. Drinking game paraphernalia could include cards, dice, or board games in the presence of alcohol.

Social Function Registration

11. Social events involving alcohol must be registered and have designated not-drinking persons responsible for monitoring the behavior of guests invited to the event. Residence hall-sponsored social events or parties that include alcohol are not allowed. (Click here to access the [Residence Hall Social Function Registration Form](#).)

(For information about alcohol use at college sponsored events, see "[Right to Know Statistics](#)" on the department of Campus Safety web site or in the brochure which the department distributes annually)

DAMAGE AND VANDALISM

Intentional or reckless involvement in behavior which results in, or presents a strong probability of damage, destruction of college property or that of another is strictly prohibited. Individuals may also be charged with "Disorderly Conduct or Disruption" if the operation of the college is affected as a result of the vandalism. Examples of this would include interruption or impairment of public communication, transportation, supply of water, gas, power, etc., or other public services.

Assessment Protocol: When the individual(s) responsible for damage, vandalism, or violations of regulations cannot be identified, charges for repair or replacement and/or fine(s) will be prorated among the students in that living unit or residence hall and posted on a monthly basis.

A college deposit is required from all students. This deposit is kept by the Business Office as long as the student remains at the college. When the student vacates the room at the end of each academic semester or year, a final inspection is done to identify any damage that may have occurred. The student will be billed for damage, missing furniture, movement of college

furniture, removal or storage of personal belongings, failure to vacate in a timely fashion, failure to return keys, or failure to leave the room reasonably clean. The college deposit will be returned to the student in due course following the student's departure from the college minus the amount of any unpaid charges levied upon written request.

Residence Hall Damage/Repair Charges: Students will be held financially responsible for damage beyond normal wear and tear. All charges for residence hall damage will be done on a cost-plus basis when work is completed. When actual cost is not available, an estimate will be provided. Any damage created by an act of vandalism or other policy violation will also have disciplinary sanctions attached. In addition to the cost of repairs, fines may be assessed for damage to fire and safety equipment, alarms, etc. All fines or charges for damage or vandalism will appear on a statement from the Business Office.

DISHONESTY

Honesty is a foundation for positive relationships that allow for learning to occur. When students make dishonest representations to the college or its officials, it is a violation of the Code. These violations can occur in and out of the classroom. Such violations include, but are not limited to:

- Plagiarism;
- Cheating;
- falsifying data;
- knowingly furnishing false information to a college official or hearing panel; and
- forgery (falsifying a signature or any document for fraudulent purposes).

Such violations fall under the jurisdiction of either the associate dean of students and director of citizenship education or the academic dean, depending on the context in which they occur. (See "[Academic Honesty Policy](#)")

DISORDERLY CONDUCT OR DISRUPTION

Disorderly or Disruptive Conduct is behavior which interferes with the academic mission of the college and has a negative impact on the college community or its members.

Disorderly conduct includes:

- reckless;
- lewd; and
- indecent or obscene conduct on college-owned or related property, or at college-sponsored or college-supervised functions, or against a college community member or guest of the college.

Disruptive behavior includes intentional or reckless disruption of:

- teaching;
- learning;
- research;
- administrative or disciplinary procedures; or

- other college activities, including public college functions, or other authorized activities on college premises. (See also "[Damage and Vandalism](#)")

Safety precautions prohibit students from being on any roof or canopy for any reason at any time. Students are also prohibited from using windows as entrances or exits except in the case of an emergency. These behaviors are considered reckless and are violations of policy, and students in violation may be fined and sanctioned. (See also "[Fire Safety Equipment and Evacuation Procedures](#)" about the prohibition of non-emergency usage of fire escapes.)

DRUGS - EXPECTATIONS, [DEFINITIONS](#), [POLICIES](#)

Colby-Sawyer College recognizes its duty to educate students, faculty, and staff members concerning the significant problems surrounding the misuse of alcohol and other drugs. The abuse and illegal use of alcohol and other drugs is detrimental to scholastic endeavors, enjoyable social activity, personal growth, and the welfare of the campus community.

Individual Responsibility Statement: All members of the Colby-Sawyer community are expected to be familiar with and abide by college policies governing the use of alcohol and other drugs. Members of the college community, as well as visitors and guests, must be aware that they are legally responsible should their behavior, with respect to alcohol or other drug use, jeopardize themselves, the safety or welfare of any person, or result in damage to property. Alcohol or drug consumption is not a valid excuse for inappropriate behavior. Behavior resulting from intoxication, or any chemical substance which causes or can be expected to cause harm to any person, damage to property, or disruption to the college environment is not acceptable and will be dealt with directly through the conduct system and/or the appropriate law enforcement agency.

(Refer to "[Right to Know Statistics](#)" on the department of Campus Safety web site or in the brochure which the department distributes annually for information about campus resources and New Hampshire State Laws regarding alcohol and illicit drug use as well as information about the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226)).

Definition

Controlled drugs are defined by law as those having stimulant, depressant, or hallucinogenic effects upon the higher functions of the central nervous system and having potential for abuse or for physiological and psychological dependence or both. Controlled drugs are classified as: amphetamine, barbiturate, cannabis (marijuana), cocaine, morphine-type, hallucinogenic, and other stimulant and depressant drugs, excluding alcohol, nicotine, caffeine, and laetrile.

Drug Policy Policies

The following are prohibited behaviors.

1. The sale of drugs, which is interpreted as the:
 - a. transaction;
 - b. exchange;
 - c. gift or offer of; and/or
 - d. prescription, administration, and dispensation

of drugs as defined above.

2. The manufacture of drugs, which is interpreted as the:
 - a. compounding;
 - b. mixing;
 - c. cultivating, growing;
 - d. processing and/or preparing

of controlled drugs.

3. The possession of drugs, which is interpreted as:
 - a. knowingly having under control;
 - b. knowingly controlling any premises or vehicle where a controlled drug is illegally kept or deposited; and/or
 - c. aiding, assisting, or abetting a person, knowing that such a person is illegally in possession of a controlled drug.
4. The use of drugs, which is interpreted as:
 - a. ingesting or inhaling controlled drugs;
 - b. ingesting or inhaling another person's prescription drugs; or
 - c. using over the counter medication or products in ways or for purposes other than their intended use.

5. The possession of drug paraphernalia, which is defined as paraphernalia which supports, facilitates, or disguises the use of drugs. Drug paraphernalia could include bongos, clips, pipes, toilet paper rolls with fabric softener on them, modified soda bottles, etc.

Federal Drug Trafficking Penalties. Colby-Sawyer College students, employees, visitors and guests are responsible for informing themselves of federal and state laws prohibiting the use, possession, manufacture or sale of controlled drugs. The federal and state laws prohibiting the use, possession or sale of controlled drugs are supported by Colby-Sawyer College. The college will not interfere with the legal prosecution of anyone who is apprehended using drugs. Drug violations may be either misdemeanor or felony offenses. (For more information refer to "Alcohol/Drug Laws & Policies" distributed annually by the college in the "Your Right to Know" book).

FAILURE TO COMPLY

Failure to comply with the reasonable request of a college official, faculty, staff member, or officer of the law, and failure to comply with a sanction or parking ticket inhibit the staff from maintaining the college's living and learning environment and can interfere with student learning. Therefore, these actions and the like are prohibited behaviors.

FERPA (FAMILY EDUCATION RIGHTS AND PRIVACY ACT)

- I. [Annual Notification](#)
- II. [Directory Information](#)
- III. [Record Release](#)

Annual FERPA Notification to Students

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their educational records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the registrar, dean, or appropriate college official 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 are inaccurate or misleading. Students may ask the college to amend a record that they believe is inaccurate or misleading. They should write the college 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 college decides not to amend the record as requested by the student, the college 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 officials with legitimate educational interests. A school official is defined as a person employed by the college in an administrative, supervisory, academic, or support staff position (including campus safety and health staff); a person or company with whom the college has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; 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. In addition, the college expressly reserves the right to release information about a student to parents, guardians, or other appropriate persons when necessary to ensure or protect the health, safety, and well-being of the student or other persons.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Directory Information Public Notice

At its discretion Colby-Sawyer College may provide directory information in accordance with the provisions of the Family Education Rights and Privacy Act. Directory information is defined as that information which would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at Colby-Sawyer College includes the following: student's name, college address, college telephone number, college

e-mail address, major field of study, enrollment status, grade level, participation in officially recognized activities and sports, dates of attendance, degrees, honors, and awards received, and most recent education agency or institution attended.

Students may withhold directory information by notifying the academic dean in writing; please note that such withholding requests are binding for all information to all parties other than for educational purposes. Students should consider all aspects of a directory hold prior to filing such a request. The initial request may be filed at any time. Requests for nondisclosure will be honored by the college for no more than one academic year. Re-authorization to withhold directory information must be filed annually in the academic dean's office within the first two weeks of the fall semester. Please note, however, that if a student, at his or her last opportunity as a student, requested that directory information not be disclosed, the college will continue to honor that request until informed to the contrary. Colby-Sawyer College assumes no liability as a result of honoring a student's instructions that directory information be withheld.

Record Release

Colby-Sawyer College releases educational records in the form of grade reports to the parents or guardians of dependent students (as defined by the Internal Revenue Code). Students over 18 years of age and independent who wish their educational records released to parents or guardians must sign a waiver form made available by the academic dean. Such waivers must be signed each academic year. Annually, the academic dean will provide all students with a form asking them if they are dependent or independent, and for the correct names and addresses to which grade reports should be sent.

Student Conduct Records Retention and Release

Conduct records are kept in the student development office. Records of minor disciplinary action are kept on file for as long as the student is enrolled at the college. Records of major disciplinary action are destroyed seven years from the date of the student's separation from the college. The records of a student who has been suspended or dismissed from the college are maintained permanently.

Colby-Sawyer College reserves the right to contact parents of underage students who are involved in alcohol or drug violations and of dependant students whose conduct may result in temporary or permanent removal from the residence halls or separation from the institution.

FIRE SAFETY, EVACUATION, INSPECTIONS, ETC.

Each year fire destroys millions of dollars worth of property and kills or injures thousands of people. A fire in a residence hall could quickly spread, putting the lives of all its students in jeopardy and destroying the personal belongings of its inhabitants. Students may not start a fire (including bonfires) on college property without prior authorization from Campus Safety. Most fires can be prevented by adherence to simple fire safety regulations.

- I. [Appliances/Extension Cords](#)
- II. [Decorations/Displays](#)
- III. [Fire Safety Inspections](#)

- IV. [Fire Safety Equipment and Evacuation Procedures](#)
- V. [Maximum Capacity](#)

Appliances/Extension Cords

It is impossible to list all of the electrical appliances that can be dangerous, but, in general, any appliance is prohibited if it is rated over 1200 watts or 15 amps or if it has an exposed heating element.

The following electrical appliances can be dangerous and are not allowed in student rooms for either storage or use:

- cooking units such as toasters, toaster ovens, grills, coffee pots, hot pots, immersion heaters, hot plates, or any appliance with an exposed burner (including popcorn poppers that do not have a self-contained heating unit);
- heating or cooling units (air conditioners, space heaters, etc.); and
- halogen lamps, sun lamps;

Any appliance or combination of appliances that overloads circuits is not allowed. Multiple unit extension cords must have a built-in circuit breaker. Octopus plugs and overloaded extension cords are prohibited. Extension cords cannot be run under a rug or behind flammable material. If you have questions about a specific appliance, ask the resident director.

Irons may be stored in student rooms, but must be used only in the laundry rooms. Students may store and use cooking units in the residence hall kitchens providing the equipment is used responsibly, kept clean and unplugged after use. Any electrical appliance must be in good repair, and care must be taken in its use to avoid overloading circuits or creating a fire hazard.

Decorations and Displays

Highly combustible materials used for decorations and displays present a serious fire hazard. In order to prevent fires, the following safety standards are applicable:

Student Room Decorations: Lighted candles and other glowing/flaming devices such as incense burners and incense are prohibited in student rooms. Candles with indications of use are prohibited in student rooms. Strung lights with bare bulbs may not be hung on walls, around doors or windows. Flammable material must be kept away from the radiators. Nothing may be hung from or may cover ceilings, smoke detectors, conduit cables, light fixtures, sprinkler pipes, sprinkler heads, or electrical outlets. Some third floor rooms have slanted ceilings; if students place their beds beneath these slants then they are not to hang decorations from the slants as the slants are considered ceilings. Material may not hang down into the doorway for decoration (e.g. beads). Displays may not be erected in a manner which blocks or obstructs an exit.

Common Area Decoration–Safety: Decorations are prohibited in stairwells, and on all ceilings. Any decoration hung on walls or doors in hallways, bathrooms, living rooms or other common areas must be attached flat to the surface. Christmas trees must be artificial, and all lights must be unplugged when unattended. Fires are not permitted in residence hall fireplaces.

Fire Safety Inspections

Fire safety inspections will be conducted by the Departments of Campus Safety and Residential Education each semester. Inspections generally occur at hall closings (Thanksgiving, Winter Break and Spring Break). Students will be notified at least 24 hours in advance of the inspection. Inspections will record any violation of the Fire Safety regulations, and students will be advised in writing of the violations and the appropriate sanctions.

Fire Safety Equipment and Evacuation Procedures

Fire Safety Equipment: Damage to fire safety equipment or any use other than the intended purpose will result in a fine, assessment of replacement or repair costs, and/or disciplinary action.

Evacuation Procedures: Evacuation procedures are posted in all buildings. Fire drills are conducted periodically in each residence hall to familiarize the occupants with the sound of the fire alarm, the emergency exits, and procedures for safely evacuating the building. All residents and guests must evacuate the building when the fire alarm is sounded. Failure to vacate the building during an alarm will result in disciplinary action.

Fire escapes are for emergency use only. All escape routes, hallways, stairwells, entries, and fire escapes must be kept clear and unobstructed at all times. Furniture, skis, ski boots, bicycles, or personal items may not be stored in any escape route. Fire doors may not be propped open at any time. Doorways should not be blocked by hanging tapestries. Sprinkler pipes and heads must be kept free from hanging articles at all times and there should be no tampering with, i.e., hanging on or swinging from.

Maximum Capacity

To allow for safe exit in case of emergency, no more than five visitors are allowed in a student room for every one student normally assigned to that room (i.e., single=5, double=10, triple=15, quad=20). The maximum capacity for Rooke Hall apartments is 25, including the residents. The maximum capacity for London House apartments is as follows: Apartment 001 - 18, including the residents; apartment 003 - 24, including the residents. Residents are expected to monitor their rooms and the number of guests they have.

FIREARMS, FIREWORKS, WEAPONS, PROJECTILES, ETC.

All firearms including:

- ammunition;
- fireworks, firecrackers, or any other explosive devices;
- hunting and survival knives;
- archery and target practice equipment;
- pellet guns, sling shots or other devices which propel a projectile; or other weapons

are specifically prohibited from the residence halls and all college properties except as expressly permitted by written approval of the director of campus safety.

Violations of this policy will result in confiscation of the objects and conduct system action. Use or possession of any of these items could result in termination of a student's residence hall living privileges or suspension or dismissal from the institution.

GUESTS

- I. [Guest Policy](#)
- II. [Guest Registration](#)
- III. [Guest Responsibility](#)

Guest Policy: The purpose of the guest policy is to enable residents to host visitors for academic or social purposes. Visitation can occur under the following circumstances.

1. A "guest" is considered any person not assigned by the college to the specific room in question.
2. Each resident may host a maximum of two overnight guests for no more than two nights in any seven day period. Residents must obtain permission from roommate(s) prior to arranging guest visits. No off-campus guest may stay on campus for more than two nights in a seven-day period without advance approval from the resident director.
3. It is the right of every student to have privacy in his/her assigned room at any time. No student should at any time feel obligated to relinquish that right. Use of a student room for visitation should be with the mutual agreement of all roommates.
4. Any roommate has the right to disapprove of any guest. It is the right of any resident of a room to ask a guest to leave. Students should seek Residential Education staff or Campus Safety assistance if a guest refuses to leave when requested.
5. In the interest of preserving privacy, students entertaining guests in their rooms may be expected to move to, or meet in lounges with their visitors.
6. Residents of a room are responsible for activity taking place or property stored in that room, whether or not the residents are present. It is essential that students lock their doors when they leave their rooms.

Residents with concerns about visitation should first contact an RA. If residents need further assistance, they should contact the RD or the director of residential education.

Guest Registration: Off-campus guests must register with a residence hall staff member or Campus Safety when they arrive. To register, the guest, accompanied by the host, must provide valid photo identification and fill out a Guest Registration Form (see Appendix) with roommate's signed approval. Guests are required to show a proper identification and Guest Registration Form to college personnel upon request. Guests without valid photo identification will not be registered (see "[Minor Guests](#)" for how to register minors without identification). Any off campus guest who will be on campus past [quiet hours](#) (whether sleeping here or not) should be registered by the beginning of quiet hours.

College officials, including Residential Education staff and Campus Safety officers, have the right to revoke guest pass privileges and/or evict guests from college property at any time if, in their judgment, the behavior of the guest warrants such action, or if the guest has not been properly registered.

Minor Guests: All guests under age 18 must leave the campus by midnight unless prior permission is granted by the resident director. In order for a guest under 18 to receive permission, the resident director must speak with the guest's parent or legal guardian either in person or on the telephone. If the parent or guardian cannot be reached the guest will not be registered and will not be allowed to stay at the college. The college reserves the right to notify parents of a minor found to be in violation of this policy.

Guest Responsibility: Colby-Sawyer College residents are responsible at all times for the behavior of all guests. Residents are also responsible for insuring that their guests are familiar with and observe the Code of Community Responsibility. Students may face sanctions for violations committed by guests.

HALL SPORTS

Hallways and common areas of the residence halls are not intended to be used as athletic facilities. Physical sports (i.e., soccer, hockey, wrestling, football, lacrosse, running, hacky sack, ball bouncing, etc.) when played in a closed environment, are disruptive to others and potentially damaging to property as well as personal safety; therefore, they are prohibited within the residence halls.

HARASSMENT

Colby-Sawyer College recognizes that educational institutions by their very nature are forums for the expression of differing views and opinions some of which, at times, may be offensive to members of our community. While the college values free expression, Colby-Sawyer seeks to create, support, and maintain a community in which all individuals are free of intimidation and harassment of any kind. All forms of harassment are violations of the Code of Community Responsibility.

Definition

Behavior that is persistent, extreme or outrageous and reasonably likely to cause harassment or intimidation is prohibited. Harassment is defined as intimidation, invasion of privacy, or any threat communicated verbally, physically, in writing, or through contact by telephone, computer, print media, or a third party that is targeted and intrudes upon the rights of others to work, learn and participate in curricular and co curricular pursuits. Two specific forms of harassment and the standards and protocols for addressing alleged violations are described in the following sections.

- I. [Sexual Harassment Policy](#)
 - a. Definition
 - b. Positions of Power
 - c. Hostile Environment
 - d. Examples of
 - e. Where and How
- II. [Civil Rights Harassment Policy](#)
 - a. Acts of Intolerance
 - b. Common Area Decorations
- III. [Stalking](#)
- IV. [How Do You Know](#)
- V. [Disclosure, Investigation, and Complaint Procedures](#)
 - a. Informal Action
 - b. Formal Action

- c. Investigation
- d. Determination
- e. Sanction

Sexual Harassment

Sexual harassment is a form of sex discrimination, which is illegal under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. The law and Colby-Sawyer policy prohibit all forms of sexual harassment: men harassing women, women harassing men, men harassing men, and women harassing women. Sexual harassment includes unwanted or unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment or educational experience;
2. Submission to or rejection of that conduct or communication by an individual is used as the basis for decisions affecting that individual's employment or educational performance;
3. That conduct or communication has the purpose or effect of unreasonably interfering with an individual's work, academic performance, or participation in co-curricular activities;
4. That conduct or communication has the purpose or effect of creating an intimidating, hostile, or offensive working, learning, social, or residential environment; or
5. The conduct or communication implies a discriminatory hostility toward an individual because of her or his sex or sexual orientation.

Sexual harassment laws are designed to 1) protect people with less power (employees, subordinates, interns, students) from those with more power (employers, supervisors, managers, teachers), and 2) prevent the creation of a "hostile environment" that might result from unwanted sexual comments and advances, even among peers.

Positions of Power

Although all college students are, as students-peers, there are recognized positions of power among students, such as resident assistants, athletic team captains, student government officers, class officers, and honor students. Just as important, there are informal differences in power and influence between students. Sometimes being part of a certain social group or one's year in college will result in social power differences between students. All members of the Colby-Sawyer community should bear in mind that positions of power and status among student peers—formalized or not—are opportunities to demonstrate good citizenship, and should never become the basis for abuse or harassment. Such behavior is against the Colby-Sawyer College Code.

Hostile Environment

The Colby-Sawyer Code of Community Responsibility prohibits creation of a hostile living or learning environment. This can occur between students with no discernible difference in status or power. The Colby-Sawyer community is grounded in mutual respect and goodwill, and each is responsible for recognizing when she or he may present an intimidating or unwelcome presence, or when she or he may be contributing to a hostile environment for another community member.

Examples of Sexual Harassment. May include but are not limited to the following:

- Sexual innuendoes, comments or bantering;
- Comments about an individual's body, clothing, or lifestyle which have sexual implications;
- Repeated questions, derogatory statements and/or jokes that are related to gender and/or sexual orientation or identity;
- Sexually degrading words or gestures used to describe an individual;
- Subtle or blatant pressure for sexual activities;
- Unwanted touching, patting, pinching, or brushing against a person's body or clothing;
- Leering or ogling or other non-verbal "comments" about an individual's appearance;
- Making sexually suggestive gestures or sexual sounds;
- Sending sexual mail, notes, e-mail, or making sexually explicit phone calls or voice mails;
- Sending, giving, showing or displaying material (objects, pictures, cartoons, articles, books or magazines) that are sexually explicit; or
- Direct or indirect threats or bribes for sexual favors.

Where and How Sexual Harassment Could Occur

Sexual harassment could occur on campus or at off-campus Colby-Sawyer sponsored events. It could occur in the classroom (student to student, faculty to student, student to faculty), the work setting (supervisor to employee, employee to supervisor, employee to employee), and the living and social environment. It could occur at an internship or practicum site on or off-campus.

In addition, an employee or student could experience sexual harassment from a salesperson, vendor, parent of a student, alumnus, visitor, or any other members of the extended college community or visitors who have contact with Colby-Sawyer faculty, staff, and students at the college or college sponsored events.

Sexual harassment could occur to a third party when that person is negatively affected by unwelcome or welcome sexual conduct between other individuals in that third party's work setting or classroom—or any other setting that requires a Colby-Sawyer employee or student be present for work or learning purposes or, in the case of students, in that person's living environment.

The college considers any romantic, physical, or sexual relationship between employees of the college and students to be a conflict of interest and potentially sexual harassment due to the potential for abuse of power, harassment, bias, and favoritism. Therefore, the college prohibits all faculty, staff, and contract employees from pursuing sexual relationships with any student of the college. Any relationships that precede the student's enrollment should be disclosed to the [whom besides HR?]

Civil Rights Complaints or Harassment

Colby-Sawyer College is committed to maintaining a humane atmosphere in which the gender, race or ethnicity, color, national origin, religion, age, mental or physical disability, family or marital status, sexual orientation, veteran status, genetic information or gender identity of an individual or group are respected and not disparaged.

Acts of Intolerance

Colby-Sawyer is committed to maintaining an environment which fosters respect among the various representative cultures on campus, and acts of intolerance create an offensive, demeaning, intimidating, and hostile environment. Therefore, any behavior – verbal or physical -- that targets, stigmatizes or victimizes individuals due to that individual's actual or perceived gender, race or ethnicity, color, national origin, religion, age, mental or physical disability, family or marital status, sexual orientation, veteran status, genetic information or gender identity and, in doing so, interferes with that student's ability to exercise his or her right to participate fully in the life of the college is considered a violation. A hate crime is an actual criminal offense motivated in whole or in part by the offender's bias towards the victim's actual or perceived gender, race or ethnicity, national origin, religion, mental or physical disability.

Every instance of alleged discriminatory harassment must be considered in the context of its specific and unique circumstances. However, the following are examples of behaviors that may be determined to be harassing:

- Objectionable epithets that are repeatedly directed to an individual or group
- Displaying or showing items such as posters, drawings or cartoons that are demeaning of an individual's gender, sexual orientation, race, ethnicity, religion, disability, etc.;
- Repeatedly telling gender, sexual orientation, race, ethnicity, religion, disability, etc. based jokes;
- Taunting someone based on gender, sexual orientation, race, ethnicity, religion, disability, etc.;
- Threatened abuse or actual harm, whether it be physical or verbal based on a an individual's gender, sexual orientation, race, ethnicity, religion, disability, etc.;

Instances of the aforementioned behavior should be reported and will be investigated and may be addressed by the conduct system or via an employment action. Community members are encouraged to report this type of incident whether as the victim or as an observer. The college urges reflection on the impact of such incidents on an individual, on the group that individual may represent, and on the community as a whole.

Common Area Decoration - Content. Resident students are free to express themselves by decorating the outside of their doors as well as inside their rooms. Decorations that are part of common and public areas must follow the guidelines prescribed for preventing a hostile environment. Decorations that stigmatize or victimize individuals or create a hostile environment for individuals are a violation of our Code of Community Responsibility.

[Colby-Sawyer College would like to thank the universities of New Hampshire and Virginia Tech and acknowledge their assistance with the wording of parts of our policy.]

Stalking

Stalking is a criminal offense under New Hampshire state law (TITLE LXII of the Criminal Code, Section 633:3-a) and prohibited at Colby-Sawyer College.

Colby-Sawyer College and the State of New Hampshire define stalking as "Purposely, knowingly, or recklessly engaging in a course of conduct targeted

at a specific person which would cause a reasonable person to fear for his or her personal safety or the safety of a member of that person's immediate family, and the person is actually placed in such fear."

Examples of stalking and cyber stalking behaviors may include, but are not limited to, the following:

- Repeated, unwanted/unsolicited contact that includes face-to-face contact, telephone calls, voice messages, text messages, electronic mail, instant messages, written letters, or unwanted gifts;
- Repeated, unwanted/unsolicited communication on public and college community internet sites;
- Disturbing messages online;
- Persistent physical approaches and/or requests for dates, meetings, etc.;
- Threats that create fear for one's life or safety, or fear for the safety of one's family, friends, roommates, or others;
- Unwanted touching;
- Pursuing or following another person; repeatedly showing up or waiting outside a person's home, classroom, place of employment, or car;
- Using surveillance or other types of observation, either in person or through the use of electronic devices or software to track or obtain private information;
- Use of threatening gestures;
- Trespassing or breaking into a person's car or residence; or
- Vandalism and/or destruction of a person's personal property.

The scope of the CSC stalking policy applies to all students, faculty, staff, contract employees, visitors, and administrators equally. Engaging in stalking (including cyber stalking) and harassment is a violation of the CSC Code of Community Responsibility. The college reserves the right to administer additional sanctions to an offender if the incident affects the academic and/or work environment of the college. College disciplinary procedures are independent of any and all criminal procedures. A substantiated charge against an employee of the college will subject that employee to disciplinary action, which may include dismissal. A substantiated charge against a student of the college will subject that student to disciplinary action including suspension or expulsion.

How Do You Know?

Classrooms are meant to foster the exchange of ideas and opinions, therefore comments that are made in the classroom that are germane to the curriculum and a part of the exchange of competing ideas are not, in and of themselves, instances of harassment. A single incident that creates a distracting and uncomfortable atmosphere on a given day does not constitute harassment. However, isolated or sporadic acts that are severe may. It is possible for a series of individual incidents, each minor in itself, to have the cumulative effect of becoming pervasively harassing behavior.

How do you know when something you say or do may be an act of harassment?

The first sign is that someone is feeling intimidated or offended. "But" (you reply), "sometimes I'm just joking, and the person I'm joking with takes it wrong!" While this may be true, you should remember two things. First, the person who is offended sets the initial standard for harassment. In other

words, if someone is feeling harassed—that's enough to begin an investigation. Second, according to the Colby-Sawyer Code, everyone is responsible for being attentive to and respectful of the feelings of others. It's very possible to offend someone without meaning to offend. If something you said or did appears to have offended or intimidated someone, you should check with that person, and try to clarify any misunderstanding.

If you are asked to change some behavior because it is harassing, for instance, to stop making a certain kind of joke, alter something displayed, or change the message on your voicemail, you should be willing to discuss the matter. Very often, a good resolution to the problem can be found through open and respectful discussion. If the action in question is a sexual advance, in the form of talk or touching, you should remember that "No" means No, and that verbal refusal, reluctant silence, uncertain hesitation, ambiguous response, or any such non-verbal cues from the other person mean that no more sexual talk or touching should occur until the uncertainty is specifically dispelled.

How do you know if you are being harassed?

As you'd expect, the first sign is that you feel offended or intimidated. If so, you should ask yourself a few questions: "Am I feeling belittled or threatened?", "Have I asked this person to stop doing this before?", "Am I starting to avoid this person, and do I dread seeing him/her?" If the answer to any of these is "yes," then you should consider taking some action. Unjust, substantial, unreasonable, and/or consistent interference with an individual's participation in college life may be signified by responses such as: avoiding areas of the campus where the behavior in question typically takes place, academic performance or work assignments becoming more difficult because of the behavior in question, or leaving the college because of the behavior in question.

Disclosure, Investigation, and Complaint Procedures

Employees and students should address harassment in order for everyone to enjoy a work and learning environment free from offensive and hostile behavior. Employees and students are strongly encouraged to seek information about campus resources available to them in cases of harassment and to disclose cases of harassment so that situations can be addressed.

Any member of the college community who believes he or she has been harassed, or has witnessed harassment at the college, is encouraged to disclose the conduct to a support person. If the person feeling harassed is a student, a support person may include, but is not limited to, an academic advisor, resident director, and/or counselor. If the person feeling harassed is an employee of the college, he or she may want to disclose information to the department chair, academic vice president and dean of faculty, and/or director of human resources.

Prohibition Against Retaliation

Students and employees who, in good faith, report what they believe to be harassment or who cooperate with any investigation shall not be subjected to retaliation. Any student or employee who believes he or she has been the victim of retaliation for reporting harassment or cooperating in an investigation should immediately contact campus safety or human resources. Any person found to have retaliated against a person who has cooperated in an

investigation will be in violation of this policy and will be subject to disciplinary action.

The remainder of the information in this section concerns student avenues for resolution. Information regarding employee complaint procedures can be found in the [Employee Handbook](#) or by contacting human resources.

Informal Action

Informal action can be pursued before or instead of a formal complaint process. When a person feels he or she has been harassed, an important first step is to convey to the perpetrator that his or her behavior is offensive. Notification can be verbal or written and delivered immediately or within a reasonable time frame.

Other informal actions could also include:

1. Keeping a log of times, dates, places, witnesses, the nature of the harassment, what the accused said and did, how the complainant responded
2. Writing a letter to the harasser that includes:
 - a. the writer's factual account of what happened, but without any subjective evaluation of such (this account should be as detailed as possible, including dates, places, and descriptions of the incidents);
 - b. a description of how those events made or still make the writer feel, e.g., disgusted, afraid, uneasy, confused, disappointed, etc.; and
 - c. what the writer wants to happen next and in the future.

To be most effective, the letter should be delivered only to the accused, in person, or by registered or certified mail. The writer should keep a copy of the letter. If the letter does not achieve its purpose, the letter can be used to support further complaints.

Formal Action

At any point an individual may feel that informal action is ineffective or has not produced the desired effect – to make the individual cease the harassing behavior. While the college hopes that informal action will be successful, any student who believes that he or she has been harassed by a member of the college community can seek to find resolution through formal action. Students who wish to file a formal complaint should meet with the associate dean of students and director of citizenship education, the director of campus safety, or another Colby-Sawyer faculty or staff member and submit a written statement describing the incident(s). Once harassment is disclosed to college personnel, the college is legally obligated to address and respond to the complaint. If the alleged harasser is a faculty member, formal action should be pursued through the academic vice president and dean of faculty. If the alleged harasser is a staff person, formal action should be pursued through the Office of Human Resources. If the alleged harasser is a student, formal action should be pursued through the Office of Citizenship Education.

Investigation

Upon receipt of a claim alleging harassment, the college will investigate promptly the charges made by the complainant. However, it may be determined that due to the length of time between the alleged incident and the time of

reporting, there is not enough information available to successfully adjudicate a claim of harassment.

Except as required by the demands of the investigation and enforcement of the policy, the complainant's claim will be treated as private by the college.

If the safety and/or well-being of the complainant or the accused is in question, persons accused of harassment may be banned from certain residence halls or buildings, or suspended from the college pending the hearing.

Any attempt by a person to intimidate, harass, or punish an individual who is bringing a complaint or involved in the hearing process, will result in disciplinary action.

Determination

In determining whether civil rights harassment exists, the college will evaluate the evidence from the standpoint of a reasonable person's reaction and perspective under the circumstances presented. Factors to be weighed in the determination of civil rights harassment include conduct that purposefully places or threatens to place another in fear of imminent bodily injury, and threatens to commit any crime against a person with a purpose to terrorize the intensity or severity of the actions, the pattern of behavior and the power relationship, if any, between the parties.

Should an investigation produce enough information to substantiate an allegation of harassment, the case will then be referred to a hearing body appointed by the associate dean of students or designee. Administrative hearings provide each party with an opportunity to present information regarding the incident. The hearing body, once it has heard all sides and questioned parties, including relevant witnesses, will make a determination of responsibility or non-responsibility. The hearing body will notify the respondent, and the complainant of the outcome of the hearing.

The respondent and complainant may appeal the decision of the hearing body within ten days of written notification of the outcome. Appeals are granted when there is a reasonable claim of new evidence likely to have a significant effect on the outcome of the hearing, evidence of procedural irregularity, and/or imposition of an inappropriate or excessive penalty. Disagreement with the finding and/or sanction of a hearing body is not a sufficient basis for appeal.

Sanction

Should a student be found responsible for harassment, sanctions could range from admonition to permanent dismissal.

For more information regarding the conduct process, please refer to the [Conduct System](#) section of the Code of Community Responsibility.

HAZING

Colby-Sawyer College prohibits hazing by any individual, organization, or group affiliated with the college, whether considered consensual or not. The college is obliged to report incidents of hazing; therefore, in addition to any consequences or sanctions the college imposes, individuals and

organizations may be subject to criminal prosecution for violation of the New Hampshire anti-hazing law.

Definition

"Hazing" means any conduct or method of initiation or induction into any student organization or community, whether on public or private property, which would be perceived by a reasonable person as willfully or recklessly endangering the physical or mental health of any student or other person.

Such conduct shall include but is not limited to:

- forced calisthenics;
- exposure to the weather;
- forced consumption of any food, liquor, beverage, drug or other substance;
- whipping, beating, branding, or any other brutal treatment;
- forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person;
- forced activity which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation; or
- forced participation in activities that are disruptive or violations of state or federal law or Colby-Sawyer College policy.

A student is responsible for behavior when he or she solicits, aids, or agrees or attempts to aid another person in planning or committing the behavior, regardless of whether the person committing the behavior is charged. (Paragraph adapted from the Dartmouth College "Hazing Policy.")

Any attempt by a person to intimidate, harass, or punish an individual who is bringing a complaint or involved in the hearing process, will result in disciplinary action. Students who commit, threaten, or otherwise convey an impending harm to themselves or others may be removed from campus pending a hearing.

In cases involving violence towards others, the hearing body will notify the respondent, and the complainant of the outcome of the hearing. The respondent and complainant may appeal the decision of the hearing body within ten days of written notification of the outcome. Appeals are granted when there is a reasonable claim of new evidence likely to have a significant effect on the outcome of the hearing, evidence of procedural irregularity, and/or imposition of an inappropriate or excessive penalty. Disagreement with the finding and/or sanction of a hearing body is not a sufficient basis for appeal.

(See also ["Harassment"](#) and ["Violence to Self or Others"](#))

NOISE/COURTESY/QUIET HOURS

Residents have a fundamental right to study, rest, and have a degree of uninterrupted privacy within each room. Therefore, it is the responsibility of each resident to maintain an atmosphere that is considerate of others and conducive to learning. While minimum quiet hours are established by the college for each residence hall, courtesy and consideration are expected of all residents and guests at all times (see ["Guests"](#) policy). It is every

student's responsibility to maintain a level of quiet acceptable to all students in each hall, and individuals are encouraged to think about the imposition their activities may put on others.

- I. [College Standards](#)
- II. [Courtesy/Consideration/Communication](#)
- III. [Inter-Residence Hall Noise](#)

College Standards

Sunday-Thursday, 10:00 p.m. to 7:00 a.m.; Friday and Saturday, 1:00 a.m. to 9:00 a.m. Because of internship, clinical, and other commitments, these hours are the same for evenings prior to days when classes are not held.

1. Noise must not disturb students in adjacent rooms, and headphones/earbuds are strongly encouraged for those who choose to listen to music beyond the stated level.
2. Stereos, TVs, radios, etc., may not be played so as to be disruptive to any room occupant.
3. Hall lounges, the Ware Campus Center, and The Lodge should be used during quiet hours to socialize so that your activities do not disturb others.
4. Twenty-four hour quiet hours are in effect at all times during finals periods and reading days with regular hours the night before the first reading day. For violation of quiet hours during finals, students may be asked to leave the hall immediately.

Courtesy/Consideration/Communication: Students are expected to respect the rights of other students, and individuals bothered by noise are expected to take the initiative to communicate with noisy fellow residents just as noisy residents are expected to respond with courtesy. Students should curtail at all times social or recreational activities that infringe on others' rights without being asked. Residential Education staff should be consulted for support if person-to-person communication efforts encounter difficulty.

Inter-Residence Hall Noise: The use of radios and stereos is permitted in student rooms, but situated so the sound is not directed out open windows. All other sounds must be at a level non-disruptive to classes, individuals, and/or other halls.

OCCUPANCY, TRESPASSING

Students are expected to occupy only the rooms to which they have been assigned and during the time period in which they have been assigned.

Residence Hall Closing: During normal college vacations, the residence halls are closed and, unless special permission is received, students are expected to vacate their rooms 24 hours after their last class or exam, or 7 p.m. on the last exam day, whichever comes first. Traditional vacation periods include Thanksgiving recess, recess between semesters, and spring recess. Students are expected to formally check out with a member of the Residential Education staff and vacate their rooms 24 hours after their last class or final exam of the academic year. Graduating students may remain in their rooms through Commencement.

Vacation Housing: Students given special permission to stay on campus must adhere to our Code of Community Responsibility. Due to our limited staff during vacations, students with special permission to stay on campus may not

host guests or have alcohol on campus until the college officially opens. The same is true for the period immediately preceding the opening of college for the academic year. Students are not to move into their rooms prior to the opening of school or reopening from vacation periods unless special permission is received.

Students are also prohibited from entering, occupying, or attempting to enter non-residential rooms or areas of the college without prior permission. (See also "[Theft of Services](#)")

PETS

In campus housing, students are permitted to have only fish as pets. Violations may result in termination of room and board privileges without refund. Pets may not visit in the residence halls, classrooms or laboratories.

In accordance with the Americans with Disabilities Act (ADA), service animals are permitted in college facilities as long as they are specifically trained and certified to perform a service function.

SEXUAL MISCONDUCT/SEXUAL ASSAULT

Intentional physical contact of a sexual nature with the body of another should not occur without the unequivocal consent of that individual. In the event of any indication that the contact or conduct is unwelcome, it should cease or not be attempted. "No" means "no"; "maybe" means "no"; silence means "no"; hesitation means "no"; and a "yes" that is followed by a change of mind also means "no". If there is any doubt, the answer should be understood to be no, and sexual activity should cease. This policy applies regardless of the sexual orientation of the individuals involved.

- I. [Consent](#)
- II. [Reporting Options](#)
- III. [Investigation Procedures](#)

Unequivocal Consent

At Colby-Sawyer College, a person who is accused of sexual misconduct or sexual assault must show he or she had evidence of unequivocal consent given by the person who complains of inappropriate sexual conduct or contact. The hearing body may find for the complainant instead of the respondent unless there is evidence of unequivocal consent by one who is capable of offering it. If someone is incapable of offering [or recognizing] consent, due to alcohol or drug impairment, underage status, or other limitation, then sexual activity should cease. Likewise if someone is incapable of recognizing whether consent has or has not been given, then sexual activity should cease.

Reporting Options

The following options exist for a person who thinks he or she has been a victim of sexual misconduct or sexual assault:

1. to pursue the case through the judicial system of the State of New Hampshire, but not through the college conduct system;
2. to pursue the case through the college conduct system, but not through the state judicial system;
3. to pursue the case via both the state and college processes; and
4. not to pursue the case via either the state or college process.

Additionally, a student can request a change in his or her housing and class assignments, depending on individual availability and requirements.

Investigation

Once a student chooses to pursue the case through the college conduct system, the college will investigate promptly the charges made by the complainant.

Except as required by the demands of the investigation and enforcement of the policy, the complainant's claim will be treated as private by the college.

If the safety and/or well-being of the complainant or the accused is in question, persons accused of sexual misconduct or sexual assault may be banned from certain residence halls or buildings, or suspended from the college pending the hearing.

Any attempt by a person to intimidate, harass, or punish an individual who is bringing a complaint or who is involved in the hearing process, will result in disciplinary action, if proven.

Determination

Should an investigation produce enough information to substantiate an allegation of sexual misconduct or sexual assault, the case will then be referred to a hearing body appointed by the associate dean of students or designee. Administrative hearings provide each party with an opportunity to present information regarding the incident. The hearing body, once it has heard all sides and questioned parties, including relevant witnesses, will make a determination of responsibility or non-responsibility. The hearing body will notify the respondent, and the complainant of the outcome of the hearing.

The respondent and complainant may appeal the decision of the hearing body within ten days of written notification of the outcome. Appeals are granted when there is a reasonable claim of new evidence likely to have a significant effect on the outcome of the hearing, evidence of procedural irregularity, and/or imposition of an inappropriate or excessive penalty. Disagreement with the finding and/or sanction of a hearing body is not a sufficient basis for appeal.

Sanction

Should a student be found responsible for sexual misconduct or assault, sanctions could range from probation to permanent dismissal.

For more information regarding the conduct process, please refer to the [Conduct System](#) section of the Code of Community Responsibility.

SMOKING

The college is considered a non-smoking environment. Faculty, staff, students, and visitors should consider an area as non-smoking unless otherwise noted. Smoking is not permitted in the residence halls. Smokers may not smoke within 20 feet of any campus building.

In all cases the right of the nonsmoker to work in a smoke-free environment will take precedence over the smoker's desire to smoke.

SOLICITATION

- I. [Sales, Collectors, and Personal Business](#)
- II. [Commercial Sales](#)
- III. [Charitable, Political, or Religious Solicitation](#)
- IV. [Student Organization Fund-Raising](#)

Sales, Collectors, and Personal Business

No person (which includes individuals and organizations) other than Colby-Sawyer College students, faculty, or staff, including such college-recognized organizations which they may form, may distribute literature, advertise, solicit, seek donations, or make sales on campus without the express authorization of the director of campus activities and the vice president for development. (See "[Student Organization Fund Raising](#)" below for procedures for student fund raising.)

Solicitors or salespersons are not permitted to contact students in the residence halls for commercial purposes. All outside vendors must register with the Campus Activities Office to satisfy insurance regulations. If permission is granted, it will be subject to such limitation as the director of campus activities may prescribe. Colby-Sawyer College prohibits calls on employees by salespersons, collectors, or solicitors during working hours for the purpose of conducting personal business. Violators should be reported immediately to Campus Safety and/or Residential Education staff.

Commercial Sales: The director of Campus Activities may grant permission for solicitations and sales by off-campus concerns. Such permission, when granted, will be subject to such limitation as the director of Campus Activities may prescribe.

Charitable, Political, or Religious Solicitation: As a general rule, representatives of off-campus political, religious, and charitable groups will not be permitted to solicit on campus. However, representatives of such groups who are acting on behalf of candidates for public office or of political or religious organizations may obtain permission to sell or distribute their political or religious literature under the following guidelines:

1. Non-members of the college community who are acting on behalf of candidates for public office or of *bona fide* charitable, political, or religious organizations and who wish to seek permission to distribute and/or sell charitable, political, or religious literature.
2. The only site where charitable, political, or religious literature may be posted, sold, or distributed is in the lobby of the Ware Campus Center. Entrances and exits shall not be blocked by persons soliciting or selling.
3. The sale or distribution of charitable, political, or religious literature will be limited to the hours between 9:00 a.m. and 6:00 p.m., seven days a week.
4. Not more than two individuals will be allowed to distribute/sell charitable, political, and religious literature at one time.
5. The sale or distribution of charitable, political, or religious material by off-campus individuals or groups will be limited to once a month on behalf of any single organization or group.

6. Colby-Sawyer College students, staff, and faculty, and their respective organizations will have preference in the use of the campus facility described above in Paragraph 2B over off-campus individuals or groups wishing to distribute or sell literature.

7. Harassment of members of the college community or any kind of disruption of the community by those selling or distributing literature, or sale or distribution outside of the building or location for which permission has been granted, will be cause for the immediate revocation of permission for the sale or distribution of literature and immediate removal from campus grounds.

8. Permission regarding requests under these guidelines may not be granted in particular instances if it appears that any special circumstances relating to college activities may be impeded thereby, or that such permission to sell or distribute charitable, political, or religious literature may place an unacceptable burden on the college's Safety and administrative staffs.

Student Organization Fund Raising: All fund-raising by student organizations must be approved in advance by the director of campus activities. Forms are available on the club information blackboard site.

SPEECH ON CAMPUS

- I. [Academic Freedom/Freedom of Speech](#)
- II. [Procedures for Inviting Speakers to Campus](#)
- III. [Civil Discourse and Disagreement](#)

Academic Freedom/Freedom of Speech

Colby-Sawyer College has long recognized that academic freedom is absolutely necessary in fostering an atmosphere of educational excellence. If the quest for truth is not free, then both the quest and the truth are seriously endangered.

With regard to freedom of speech, every student, faculty, and staff member of Colby-Sawyer College enjoys the rights guaranteed to all Americans by the Constitution of the United States and the privileges traditionally accorded all members of the academic community, both in the classroom and outside of it. In its policy governing the appearance of outside speakers on campus, Colby-Sawyer College expects that such speakers are willing to engage themselves in a rational dialogue with faculty and students, in a give and take of free discussion.

Free Speech Considerations for Guest Speakers on Campus

The sole purpose of inviting a speaker is to contribute to the aims of the college as a center of free inquiry and sound learning. To assure that a speaker is the kind of person whose method of presentation is appropriate to the atmosphere of Colby-Sawyer College, the following procedures must be followed:

1. Only organizations officially recognized by the college may invite a speaker to the campus. (Contact the director of campus activities for more information.)
2. Before inviting a speaker, student groups must obtain the approval of the director of Campus Activities.

Civil Discourse and Disagreement

The college administration, therefore, sets forth the college position as follows:

1. The college, out of simple courtesy, wishes to protect its guests from insults and indignities.
2. The college seeks to preserve a forum open to all.
3. The college seeks to insure that invited guests of the college, or of groups within the college, will be treated with courtesy and respect, and accorded the dignity due to them as human beings, no matter how strongly persons in their audience might disagree with their ideas.
4. The college wishes to make it clear that those who are not members of the college community and who seek to intervene or agitate on college property will be escorted from campus and may be charged with trespassing.
5. Further, in order to preserve an orderly atmosphere and avoid possible embarrassment to invited guests, the college reserves the right to prohibit two speakers representing opposing viewpoints on the same date, unless the events have been appropriately arranged in advance and unless both speakers have full prior knowledge and acceptance of the circumstances of their invitation.
6. The college neither has, nor desires, authority to prohibit its students from participating as individuals in picket lines or peaceful and lawful demonstrations off campus on behalf of causes with which they are "in sympathy" as long as this behavior does not interfere with the mission of the college or of the free speech of other campus community members.
7. Any expression of dissent that materially interferes with the speaker's ability to proceed is a violation of the college's "Disruption" policy (see "[Disorderly Conduct or Disruption](#)" for more information).

THEFT

The taking of property belonging to the college, a business, or another person is a violation of community trust and of our Code of Community Responsibility.

The policy against theft includes:

- larceny;
- willful concealment;
- theft of mislaid or lost property;
- receiving stolen property; and
- shoplifting

Theft of Services:

Theft includes property and also services. Eating in the dining hall without paying is considered theft of services as is occupying or using college facilities or residence hall rooms without authorization.

VIOLENCE TO SELF OR OTHERS

Violence has no place in a community and it will not be tolerated in our college community.

Prohibited behavior includes:

- intentional or reckless involvement in behavior which results in or presents a strong probability of physical injury to self or others;

- threats to the physical and emotional safety to self or others; and
- responding to violence with violence.

Any attempt by a person to intimidate, harass, or punish an individual who is bringing a complaint or involved in the hearing process, will result in disciplinary action. Students who commit, threaten, or otherwise convey an impending harm to themselves or others may be removed from campus pending a hearing.

In cases involving violence towards others, the hearing body will notify the respondent, and the complainant of the outcome of the hearing. The respondent and complainant may appeal the decision of the hearing body within ten days of written notification of the outcome. Appeals are granted when there is a reasonable claim of new evidence likely to have a significant effect on the outcome of the hearing, evidence of procedural irregularity, and/or imposition of an inappropriate or excessive penalty. Disagreement with the finding and/or sanction of a hearing body is not a sufficient basis for appeal.

(See also "[Hazing](#)", "[Harassment](#)", "[Health and Counseling Issues](#)", and "[Sexual Misconduct/Sexual Assault](#)" for more information.)