

student regulations, policies and procedures

OBERLIN
COLLEGE
2006-2007



table of contents

Letter from the Dean of Students 4

2006–07 Student Regulations, Policies, and Procedures

I. General Regulations

II. Regulations and Procedures of Student Accounts

Term Bills	6
Interest Charges	6
Tuition Regulations	6
Tuition Refunds	6
Matriculation Deposit	6
Student Insurance	7

III. Regulations and Procedures of the Conservatory of Music

Use of Facilities	7
Robertson Practice Facilities	7
Room and Concert Hall Scheduling	7
Student Teaching	8
Care of Instruments	8
Special Use of Instruments	8
Building Security	8
Fire Regulations	9
Energy-Saving Measures	9
Miscellaneous	9

IV. Library and Audiovisual Services

Basic Rules and Penalties	9
Reserve System Rules and Penalties	10
Building Rules and Penalties	10
Theft and/or Mutilation Rules and Penalties	10

V. Policy for the Acceptable Use of Information Technology Resources

Introduction	11
Guiding Principles	11
User Responsibilities	11
Use of CIT Facilities	11
Legal Usage	12
Ethical Usage	12
Security	12
Account Usage	13
Network Usage	13
Enforcement	13

Students' Rights and Responsibilities

I. The Honor Code and Honor System

Purpose	14
Definition of Terms	14
Scope	15
The Function of the Administration of the Honor System	15
Authority within the Honor System	16
Procedures of the Honor System	17
Revisions and Modifications	20

II. Student Governance and Activities

Eligibility	20
Student Government (Constitution of the Association)	20
Article I: Purpose and Membership	20
Article II: The Student Senate	20
Article III: Working Groups	25
Article IV: Referenda and Constitutional Change	25
Article V: Student Organizations and Association	26
Article VI: Powers	26

III. Student Bill of Rights

Philosophy	26
Preamble	26
Freedom of Access to Opportunities and Resources	26
Freedom of Expression and Scholarship	26
Expression and Inquiry in Campus Activities	27
Confidentiality of Records	27
Associations and Organizations	27
Access to Information	27
Participation in Institutional Governance	28
Civil Rights and Due Process	28

IV. Judicial System

Preamble	28
Definition of Terms	28
Jurisdiction	29
Code of Conduct	30
Judicial Authority	31
Filing a Complaint	34
Responding to a Complaint	34
The Hearing	35
The Review	37
Mediation	37
Sanctions	38
A Note about the Release of Information Pertaining to Disciplinary Records	40
Revisions and Modifications	40

V. Social Conduct and Regulations

Statement of Social Responsibility	40
Faculty Statement on Freedom of Speech and Expression	40
General Posting Policy	41
Faculty Statement on Social and Political Unrest.	42
Faculty Statement of Policy on Student Demonstrations.	43
Guidelines for Meetings Involving Speakers, Films and Other Forms of Artistic Expression	46
Faculty Statement on Intrusion of Unauthorized Persons into Private Offices	49
Faculty Statement on Racial Abuse and Harassment.	49
Faculty Statement on Discriminatory Harassment	50
Sexual Offenses Policy and Procedures.	51
Appendix 1: The Policy Administrator.	54
Appendix 2: The Sexual Offense Review Committee (SORC)	55
Appendix 3: The Formal Panel	56
Appendix 4: Conduct of Formal Panel Hearings.	57
Appendix 5: Appropriate Disciplinary Guidelines	57
Appendix 6: Guidelines on Employment of Spouses, Partners, and Immediate Family Members	57
Noise.	58
Room Inspections.	59
Room Searches	59
Policy on Alcohol, Drugs, and Tobacco	59
Identification Cards	63
Appearance Codes Policy	63
Animals in Public Buildings or on the Campus.	64
Unauthorized Keys	64
Dangerous Weapons, Fireworks, or Explosives.	64
Use of Fire Escapes and Roof Tops	64
Unauthorized Entry or Presence in College Facilities	64
Possession of Stolen Property	64
Motor Vehicle Parking and Traffic Regulations.	65
Use of Bicycles	65
Mailroom Regulations	66
State Laws Governing Coin Machines	66
Student Records	66
Rights of Students with Disabilities	68
Grievance Procedures	69
Title IX Athletic Policies.	71

Housing and Dining Regulations

Principle	74
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Terms

Eligibility and Requirements	74
Term of Services	74
Payment of Fees	75

Conditions

Assignments	75
Personal Use Agreement	76
Rights Reserved by the College.	76
Housing Assignment Changes	76
Remaining Occupant	76
Storage of Personal Belongings	76
Responsibility for Personal Property	76
Maintenance.	77
Responsibility for Room Condition and Use	77
Check-in and Check-out Procedures.	77
Telephones	77
Suggestions, Complaints, and Appeal Process	77
College Board.	78

Community Resources and Opportunities

Campus Fasts	78
Parties	78
College Housing Governance	78

Housing and Dining Conduct Policies

Alcohol, Drugs, and Tobacco	79
Guests.	79
Sports	80
Life-Safety Policy	80
Noise.	80
Pets	80
Prohibited and Regulated Items	80
College Housing ID Card Security.	81
Public Areas Policy	81
Room Key Policy	81
Smoking.	81
Student Code of Conduct.	81

Fines and Penalties

Chart of Fines and Penalties	82
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to the students of oberlin college

This published version of the Oberlin College Student Regulations, Policies, and Procedures is intended to be a guide to the principles and policies that shape and regulate our community. Those who matriculate at Oberlin have entered into a unique community, dedicated to the pursuit of knowledge and excellence. By joining this community, you are expected to understand and abide by the principles and policies that enable us to thrive as educators, scholars, and learners.

From its inception, Oberlin College has been dedicated to free and open thought and expression. The community's positions on social issues have often been quite varied; our members have included abolitionists, missionaries, libertarians, integrationists, and prohibitionists, as well as suffragists, nationalists, communitarians, pacifists, and fundamentalists. Although frequently regarded as progressive in their time, Oberlinians have promoted ideas that by some interpretation – or by the terms of another era – may not seem so. What has remained constant is a degree of iconoclasm – a belief in the importance of allowing ideas to flourish, regardless of their popularity at a given moment. Moreover, it is a mark of an Oberlin education to apply the insights and values of the classroom to the understanding and resolution of pressing social issues of the day. And while those issues have frequently changed, the principles of tolerance, self-determination, social responsibility, and intellectual integrity have remained constant.

Oberlin College was founded on principles of inclusivity and equal opportunity. As such, it has been the country's historical leader in interracial education, as well as coeducation. We are dedicated to the promotion and celebration of social diversity in all its manifestations. All students must be afforded the means of enjoying access to the full range of educational opportunities at the College. Oberlin College is home to the students who attend it, all of whom must feel welcome without regard to race, class, ethnicity, nationality, gender, religion, sexual orientation, or disability.

Although this guide to the College's rules and regulations is as thorough and accurate as possible at the time of publication, officers and committees of the College reserve the right to make changes in the course of the year as deemed appropriate. Students will be notified of any such changes in writing.



Linda Gates
Dean of Students

student regulations, policies, and procedures

As a deliberate community of scholars, Oberlin College has a set of rules and regulations that are intended to enable students to strike a reasonable balance between personal freedom and their responsibility to the quality of life in their community. Our community life is intended first, to foster learning, and second, to constitute a setting that is a living laboratory for creating the habits of an engaged citizenry.

It is important that students acquaint themselves with the published Rules and Regulations in order to understand the principles that govern our community. Although upon joining our community students will acquire an enormous amount of freedom to make their own decisions, it is important to be informed of the possible consequences – intended and unintended – of these decisions, and to be prepared to accept the consequences. Students remain beholden to the laws of the City of Oberlin, the State of Ohio, and the federal government, and the College will not protect students from the consequences of breaking those laws. Additionally, the College’s Judicial System has the authority to impose penalties of its own. Sanctions ranging from a warning to expulsion may be imposed for a range of infractions outlined in the College’s Code of Conduct. The Code of Conduct is intended to help maintain an orderly environment in which our first business is the pursuit of scholarship, arts, and learning. It is also intended to protect individual safety, the property of individuals and the College and to ensure that all members of the community are able to fully enjoy the educational benefits of this institution.

The mechanisms of the judicial system include two deans in the Office of the Dean of Students, who are designated the Judicial Coordinators. The Judicial Coordinators and authorized hearing officers may hear cases and impose sanctions at the request of the charged student if there is no fundamental disputation of fact. Other cases are heard by the all-student Judicial Board, while the most serious cases are heard by a combined student-faculty Community Board.

If students believe they have been subject to behavior that constitutes a violation of the Code of Conduct, they should first consider reporting it to the Office of Safety and Security. Additionally, students should consider speaking with a Judicial Coordinator to register a complaint against the other student and to determine whether judicial charges might be an appropriate means of redress. Students may also be encouraged to pursue mediation, depending on the kind of outcome they hope to achieve. If a student is charged with an infraction of the Code of Conduct – or believes that he/she may be charged with an infraction – it is also important for the student to meet with a Judicial Coordinator in order

to determine how the process works and what his/her rights are. Students may be encouraged to select an advisor, who can accompany them to meetings with the Judicial Coordinator and to any Judicial or Community Board hearings. A dean may be a particularly appropriate person to function as an advisor, since these individuals know the system well and can help students anticipate the various steps.

Oberlin College is committed to the free and open exchange of ideas and strongly presumes the right of community members to express their ideas freely, regardless of how unpopular they may be. In order for the Oberlin College community to learn and benefit from the ideas of others, our attachment to the principles of free speech should also be tempered by a substantial degree of respect for all members of the community. Moreover, the exercise of free speech does not extend to language that is intimidating or harassing to individuals or that creates a hostile environment for particular members of the community.

Oberlin College is also committed to the creation of a learning environment in which students’ ability to meet their full potential is not adversely affected by the abuse of alcohol or other drugs. The underage use and possession of alcohol is prohibited, as is the possession and use of illicit or controlled substances or paraphernalia related to its use. Moreover, Oberlin College implemented a policy in the fall of 2001 that prohibits severe intoxication and prescribes educational responses as well as progressively more serious disciplinary consequences for obvious and egregious instances of alcohol abuse.

Oberlin College is an environment in which students are provided the means of making independent and uncoerced decisions about their own sexual behavior. College regulations require that all sexual encounters between students be fully and unambiguously consensual. Sexual behavior that is not fully consensual may result in adjudication under the College’s Sexual Offense Policy with possible sanctions up to and including expulsion.

Academic exercises at Oberlin are governed by the College’s fully student-run Honor System, the principle of which is that students must fully credit the ideas of others and undertake their academic work with absolute integrity. The Student Honor Committee will adjudicate plagiarism and cheating, however inadvertent. Sanctions may be severe, and can include suspension and expulsion.

To learn more about the details of these and other College policies, students should consult the *Student Regulations, Policies, and Procedures* that follow.

rules and regulations

I. General Regulations

The College reserves the right to dismiss any student who is unable, with or without reasonable accommodation, to perform the work that is expected of him or her or who poses a direct threat to the health and safety of self and other members of the College community.

No attempt has been made to list all the variations and interpretations of the College regulations. It is assumed that the accepted principles of social decency and common morality that belong to all good societies will be regarded as binding upon every student.

II. Regulations and Procedures of Student Accounts

1. TERM BILLS

The College requires term bill payment as follows each semester:

A. Charges must be paid in full **no later than August 26** (1st semester) and **January 25** (2nd semester). Payments of this nature avoid the added cost of accrued interest (service charge).

B. Arrangements may be made to pay monthly installments by signing and returning a Budget Payment Plan Contract, per instructions included with the initial billings.

C. No student may enroll who has not complied with a. or b. above.

Students who enroll for the first time at the beginning of second semester or who are returning from leave may, if desired, arrange a monthly payment plan by completing the Budget Payment Plan Contract included with the initial billing in January.

2. INTEREST CHARGES

An interest charge of 1 percent will be added to all student accounts with unpaid balances as of the 25th of each month. All payments and credits received by the 25th of each month reduce the term bill balance on which the interest charge is computed.

3. TUITION REGULATIONS

Below is an outline of tuition regulations that should help determine the applicability of additional tuition charges. **Please note that failure to drop a course officially by the published deadline could result in extra tuition for a course not completed.**

A. Tuition is based on the courses in which a student is officially registered, **regardless of attendance.**

B. The receipt of an “NP” or an “NE” grade, either through completing and failing a course or through neglecting to drop officially a course not completed, does not cancel additional tuition charges for the course.

C. The choice to withdraw from a course does not cancel additional tuition charges for the course.

D. Students who are enrolled full time in the College of Arts and Sciences each semester of an academic year may take no more than a total of 16 hours per semester without additional tuition charges. Conservatory and Double-Degree students registered for more than 17 hours in either semester will be charged additional tuition. \$900 per hour is charged for each hour above the regular full-time rate.

E. Students on academic leaves, even though participating in approved programs such as GLCA, CIEE or ACM and in certain cases paying tuition to Oberlin, are not considered to be enrolled at Oberlin or on Oberlin programs.

F. In the College of Arts and Sciences, students who register for private music lessons in two private study areas will be charged extra tuition at the credit hour rate of \$1420 if the areas are with the faculty in charge. If one or both of the private-study areas are with student teachers, a flat fee of \$250 will be charged for the second area. **All students on an Academic Leave of Absence (ALOA) are charged a \$1000 fee.**

G. In the Conservatory of Music, students who register for private lessons in two principal private study areas will be charged extra tuition at the credit hour rate of \$1420 for any credits in excess of six principal private study credits.

4. TUITION REFUNDS

All students who withdraw or go on a medical/personal leave of absence during a semester will be charged tuition, room, and board at the rate of 10 percent of the semester charge for each week, or fraction thereof, in residence. However, there will be no refunds after the ninth week of the semester. Activity fees are not refunded.

5. MATRICULATION DEPOSIT

An enrollment deposit of \$300.00 is required from all regular new undergraduate students to confirm matriculation for courses. The deposit will be refunded approximately 90 days after the last day of residency to graduating seniors and withdrawing students. Any charges, fees, or fines that have not been paid by the student at the time of withdrawal will be deducted from the deposit.

6. STUDENT INSURANCE

Oberlin College offers a Student Insurance Program for students who are uninsured or underinsured. All undergraduate students are automatically included in this plan and will have an annual charge included on the first semester term bill, unless a signed waiver is returned to Student Accounts declining this coverage by the prescribed due date.

This plan provides protection against the expenses of sickness and accident, both at Oberlin and when away from campus, which may require urgent or emergency care treatment, hospital confinement, the services of a surgeon, specialty care, or extended treatment resulting from serious illness or injury. The annual charge for this coverage is \$725.00 for the year commencing August 15, 2006, through August 14, 2007.

If treatment is received somewhere other than the Student Health Services offices, the student must file a claim with the insurance company. Claim forms for the Oberlin College Student Insurance Program are available at Student Health Services. **The student is responsible for initiating all insurance claims forms for payment of bills.**

For specific information regarding this plan as well as other student insurance related questions call x58180 from a campus phone, or (440) 775-8180 from off-campus phone.

III. Regulations and Procedures of the Conservatory of Music

ANY VIOLATION OF CONSERVATORY FACILITIES RULES AND REGULATIONS MAY RESULT IN A FINE OF \$50 PER OCCURRENCE, BILLED TO THE STUDENT ACCOUNT. REPEAT OFFENSES WILL RESULT IN ADDITIONAL FINES, LOSS OF PRIVILEGES, AND/OR JUDICIAL PROCEEDINGS.

A. Use of Facilities

1. The facilities of the Conservatory are for academic training and Conservatory-related functions; use of the facilities for any other purpose requires the permission of the Associate Dean.
2. Students may enter locked buildings only when accompanied by a teacher or administrative officer. Teachers and administrative officers are not authorized under any circumstances to lend students their keys to rooms or buildings in the Conservatory complex. The unauthorized possession of a key to a College building is forbidden.
3. Students are required to show their Oberlin College ID when asked to do so by an Oberlin College official.

B. Robertson Practice Facilities

1. Most practice rooms are not assigned. When an unassigned room is unoccupied, any student may elect to use the room for practice.
2. A student may leave a practice room for a brief period, up to 10 minutes, without giving up the room.
3. Students must take their possessions with them when leaving a practice room or other room.
4. The lids of pianos in Robertson may not be raised while practicing. This is to control the sound level in the practice building.
5. Cutting of reeds is permitted only in Robertson reed workshops.
6. Certain practice rooms are assigned, as follows:
 - A. Students studying double bass, harp, or percussion instruments are assigned practice rooms at the discretion of the Associate Dean;
 - B. Students studying organ, harpsichord, or fortepiano are assigned keys to the appropriate practice rooms;
 - C. Students studying tuba will store their instruments in the assigned room in Robertson.
7. Practice rooms that have been assigned to an individual or a group may be used only for practicing and instrument storage. The room windows may not be covered. The room may not be loaned to another student. **Use of practice rooms for summer storage of personal items is strictly prohibited.**
8. Beverages and food are prohibited in practice rooms. Violators will be fined \$50 per occurrence, billed to their student account. Repeat offenders may lose their practice room privileges and face judicial proceedings.

C. Room and Concert Hall Scheduling

1. Scheduling of classrooms, rehearsal rooms, and concert halls for periods of a semester or more, as well as advance scheduling for future uses of these rooms, is handled through the Concert Production Office, Bibbins 234. One-time or short-term scheduling of a room or concert hall may also be made in Bibbins 234.
2. Rooms may be reserved for short-term use as follows:
 - A. Faculty members may reserve classrooms, rehearsal rooms or concert halls for course-related use;
 - B. Student leaders of authorized chamber music ensembles may reserve a classroom for a rehearsal by their chamber music group or ensemble.

rules and regulations (cont.)

D. Student Teaching

1. Students authorized to give private instruction under the Supervised Student Teaching Program or the Approved Student Teaching Program may give this instruction in the practice rooms of Robertson. They must charge the teaching rate set by the Dean for such teaching and not more. This rate is published in the *Course Catalog* each year and the rate is quoted to persons who inquire about non-credit lessons.
2. Students not in the Supervised Student Teaching Program or the Approved Student Teaching Program who wish to give private instruction may do so at this or any other rate; they may not, however, use Conservatory facilities for this instruction.

E. Care of Instruments

1. Students are not permitted to take food, beverages, or other liquids out of the Student Lounge, or from outside the Conservatory to areas other than the Student Lounge. Specifically, no food, beverages, or liquids, with two exceptions, are permitted in practice rooms, rehearsal rooms, classrooms, concert halls, or in Conservatory rooms other than in the Student Lounge. The exceptions are:
 - A. Reed instrument players, who need a small cup of water for soaking reeds while practicing, may take water to practice rooms, but only in containers with secure covers. These containers must be placed on the table or on the floor, and never on the piano itself;
 - B. Faculty and staff members are permitted to take food and beverages from the Student Lounge to their offices or studios.
2. Only music and books may be placed on pianos. Instrument cases and other items must be placed on a table or on the floor.
3. Conservatory-owned equipment and instruments may not be removed from the Conservatory complex without authorization from the Associate Dean. This includes chairs and stands.
4. Student-owned instruments left unattended in practice rooms or elsewhere may be secured and the student notified of this action. Students are reminded that Oberlin College assumes no liability for damage or loss of a student's property on Oberlin College property. Students are urged to obtain their own insurance coverage for their instruments and personal property. For information on obtaining instrument insurance, contact Sharon Brown in Room 210 of the Conservatory Annex, x55303.
5. Instrument lockers are assigned through the Concert Production Office, Bibbins 234.

F. Special Use of Instruments

1. Any special use of Conservatory instruments must be explicitly authorized by the appropriate Conservatory staff member each time the instrument is so used. The staff members are:
 - A. **John Cavanaugh**, pianos, (440) 775-8275
 - B. **Michael Lynn**, Associate Dean, all others
2. No faculty or staff member or student is permitted to regulate, tune (keyboard instruments), or repair any Conservatory-owned instrument unless authorized to do so by a Conservatory technician or by the Conservatory Office.
3. Pianos in Robertson may not be moved, even slightly, without authorization from the director of keyboard technology.
4. Any use of pianos for compositions requiring direct manipulation by the performer of strings, hammers, dampers or the instrument action is forbidden without authorization each time by the director of keyboard technology with a single exception:
 - A. Certain pianos in Robertson may be used as prepared pianos without further authorization. Upon request, Mr. Cavanaugh will arrange for these rooms to be locked and reserved for individual use for a short period when an extensive preparation is contemplated.

G. Building Security

1. The buildings in the Conservatory complex are open daily during the school year from 7:30 a.m. to midnight, except for vacation periods.
2. Students found in the Conservatory complex without authorization when the buildings are closed will be subject to judicial proceedings.
3. Outside building doors are unlocked during the hours the buildings are open, with the following exceptions:
 - A. **Bibbins**: the outside doors are locked no later than 11:45 p.m.
 - B. **Central Unit**: Warner Concert Hall foyer doors are locked except when a concert is scheduled in Warner; exterior doors to rooms 21 and 25 are always locked. (Student lounge doors remain open until 11:45 p.m.)
 - C. **Robertson**: the outside doors are locked and students must use their Validine cards to enter.
4. Exterior doors must not be propped open.
5. Practice room windows must not be covered.

H. Fire Regulations

1. Smoking is not permitted in the Conservatory complex or within proximity of building entrances and air intake fans.
2. Any open flame or burning of any material, such as candles, incense, etc., is strictly prohibited in the Conservatory complex.
3. No tables, chairs, stands, instruments, instrument cases, carts, etc., may be left unattended blocking traffic in hallways anywhere in the Conservatory complex.

I. Energy-Saving Measures

1. Lights in concert halls, large rehearsal rooms, classrooms, practice rooms, and other rooms in the Conservatory complex are to be turned off when a room is not in use.
2. The use of concert halls, large rehearsal rooms, and classrooms by only one or a few persons is to be curtailed when rehearsal or class area of appropriate size is available.

J. Miscellaneous

1. Music stands, tables, and chairs borrowed from a room must be returned when finished. Music stands may not be taken from one building in the Conservatory complex to another, nor may they be removed from the Conservatory complex without authorization from the Associate Dean.
2. Persons using concert halls, rehearsal halls, or classrooms are expected to return the equipment in the room to its proper location when finished. Instruments and equipment moved into a concert hall for a performance must be returned to the regular storage area when the concert is over.
3. Heavy equipment must not be dragged along the floor; a dolly or wheeled platform should be used.
4. Students and faculty members must not move, connect, or disconnect audio equipment in classrooms, rehearsal rooms, or concert halls. The Audio Department should be contacted at (440) 775-8272 to send someone to move, connect, or disconnect equipment.
5. Signs, notices, and posters may be placed only on public-use bulletin boards. They are not to be placed on walls, doors, or windows.

ANY VIOLATION OF CONSERVATORY FACILITIES RULES AND REGULATIONS MAY RESULT IN A FINE OF \$50 PER OCCURRENCE, BILLED TO THE STUDENT ACCOUNT. REPEAT OFFENSES WILL RESULT IN ADDITIONAL FINES, LOSS OF PRIVILEGES AND/OR JUDICIAL, PROCEEDINGS.

IV. Library and Audiovisual Services

The library's mission is to collect, preserve, and make readily available materials of all kinds for the benefit of the students and employees of Oberlin College. The success of the library's policies depends upon the cooperation of all users. The lending regulations are generous, reflecting a commitment to promote a free and open environment conducive to learning. On the other hand, the library does insist on strict compliance with the basic regulations listed below, especially those that call for prompt return of materials when due or when needed by others. In addition, the library is quite serious about dealing firmly with anyone who fails to respond to library notices, or who improperly removes, damages, hides, or otherwise misuses materials so that others are denied access to them.

Current borrowing regulations are summarized in a sheet available in the Main Library (Mudd Center) and the branches in the Conservatory (music), Allen Art Building (art), and Science Center (biology/chemistry/physics). There are special provisions for borrowing audiovisual materials and equipment. Students also are eligible to check out materials from Oberlin Public Library.

A. Basic Rules and Penalties

One's current College ID card with barcode should be presented each time one borrows books or other materials. No other form of ID will be accepted.

Students may borrow books from the general stacks for one semester, subject to recall by another borrower after one week from the initial checkout date. Recalls for reserve are given priority and may be due in less than one week. The person who borrows an item accepts responsibility for its return in good condition and by the date indicated at time of check out or by the date indicated on subsequent library notices. All books must be returned to the circulation desk from which they were checked out, or the appropriate book drop for that location. Borrowers who fail to return materials on time or in good condition will be fined and/or billed in accordance with current library policy.

Individuals who receive a recall notice indicating that the item has been recalled must return the item directly to a circulation staff member (rather than leaving it in the book drop) to avoid accumulating fines and to allow the item to be processed quickly for the next user. The library expects students to read their mail every day in accordance with College mailroom regulations and to check their e-mail frequently.

Recalled items must be returned immediately. If a borrower fails to return by the due date an item that has been recalled for another reader, a \$10 per day fine is assessed for each day the book is overdue. Failure to

rules and regulations (cont.)

respond to recall notices has the effect of denying other users access to library materials and may be taken as an honor code violation and dealt with accordingly before the Honor Committee. (See the *Students' Rights and Responsibilities* section I.B.5). In addition, withholding library materials may be construed as theft.

Other short-term loans (periodicals, A-V materials, materials borrowed from other libraries, and other high demand items) are also subject to fines and referral to the College judicial system or the Honor Committee if not returned by the due date. Current fine rates are available from the circulation staff in each library.

A borrower who fails to return library material upon request will be prevented from enrolling the following semester. Departing students who fail to return library material will be charged for the replacement costs of the material plus a processing fee for each item not returned. The full amount billed (replacement cost and processing fees) will be refunded if the material is returned in good condition within thirty days of billing.

Fines should be paid at the Main Library circulation desk upon receipt of the fine notice. Unpaid fines totaling \$150 or more will result in the student's borrowing privileges being suspended. Fines remaining unpaid at the end of the semester will result in a student's enrollment being held the following semester.

B. Reserve System Rules and Penalties

Many instructors use reserve shelves to ensure access to heavily used sources. These materials normally circulate for three hours (two hours at the Conservatory Library) unless otherwise indicated. Some reserve materials are available for overnight loan, due at the posted time the next day. Questions about reserve policies should be directed to the reserve supervisor in each library.

Fines for overdue reserve materials are listed in the Fines and Penalties table. Because of the need to ensure reasonable access to required reading, fines for violating reserve regulations are stiff, and improper retention or removal of material is regarded as a very serious offense. Failure to respond to overdue notices has the effect of depriving others of access to the materials and may be taken as an honor code violation and dealt with accordingly before the Honor Committee. Repeated failure to return reserve materials on time may be referred to the College judicial system for additional penalties.

Reserve fines should be paid at the Main Library circulation desk upon receipt of the fine notice. Unpaid fines totaling \$150 or more result in the student's borrowing privileges being suspended. Fines remaining unpaid at the end of the semester will result in a student's enrollment being held the following semester.

C. Building Rules and Penalties

Violation of established building rules may be grounds for fines and/or referral to the College judicial system. For example, smoking is forbidden in all of the libraries and on the entrance ramp to Mudd Center. In order to protect the collections from pest infestations, the possession of food is forbidden in all of the libraries except in areas especially designated for those purposes. Beverages are allowed in approved containers only. Possession of sound recording equipment is prohibited in the Conservatory Library. Furniture, typewriters, computer equipment, components of audio and audiovisual playback equipment, and other library equipment are not to be moved from their established locations or altered in any way. Defacement of library furnishings or parts of the physical buildings themselves is forbidden. Moreover, unauthorized entry in the building roof areas and unauthorized presence in the libraries after regular hours are both subject to disciplinary action by the College judicial system and/or arrest and prosecution by local authorities.

Patron safety is of particular concern to the library. The sounding of an alarm bell requires all library users immediately to leave the building in an orderly manner. Failure to comply with this, or failure to follow the instructions of library staff, College, or city safety personnel may result in immediate disciplinary action by the College judicial system.

D. Theft and/or Mutilation Rules and Penalties

Nothing is more reprehensible in an academic library than the theft or willful destruction of library materials. Theft is not only a crime against the library as an institution, but as an antisocial act it strikes at the vulnerability of an open community. A person who conceals library materials while still on library premises, who improperly removes or damages equipment, books, journals, newspapers, manuscripts, maps, documents, recordings, video or audio tapes, computer software, or who fails to respond to repeated requests for return of materials may be subject to arrest and prosecution for theft in the local courts. If such an offender is an Oberlin College student, the Librarian also reserves the option of proceeding against such offender through the Honor Committee and/or College judicial system, where the penalties may include suspension or dismissal, as well as restitution of any losses suffered. Such offenses will be taken very seriously.

V. Policy for the Acceptable Use of Information Technology Resources

A. Introduction

Oberlin College provides a wide range of computing resources in order to support the educational mission and administration of the College. The Irvin E. Houck Center for Information Technology (CIT) provides and maintains the campus network, administrative servers, e-mail and web servers, general and departmental computing facilities and/or laboratories, and institutionally owned desktop and laptop computer systems. CIT provides additional services, including operation of a Help Desk, and sales of hardware and software through the Oberlin College Computer Store.

The facilities of CIT have become an essential resource for academic, administrative, and research processes for members of the College community. As such, all members of the College community are encouraged to use these resources, provided they respect the rights of others, abide by the rules and regulations of the College, and assume shared responsibility for safeguarding the College's computing environment. Proper and fair use is essential if all are to derive maximum benefit from them. Thus, CIT has developed this Acceptable Use Policy.

This policy may be modified at any time. Use of CIT resources is considered agreement to abide by this policy. Users found in violation may be subject to penalties of varying degree, including temporary or permanent denial of access to CIT resources and services. Violators may also be subject to action by campus, civil, or criminal judicial systems.

B. Guiding Principles

In making information technology resources available to all members of the College community, Oberlin College affirms its commitment to a free and open educational environment, conducive to learning and governed by legal and ethical principles.

Oberlin College values the free flow of information. The College respects individual privacy, civility, and intellectual property rights. Because an electronic environment is easily disrupted and electronic information is readily copied, users of the College's resources are honor-bound to promote and protect these institutional values.

Under normal circumstances, College officials will not examine personal information transmitted over the network or stored on College-owned computers. However, the College reserves the right to monitor system resources, including activity and accounts, with or without notice, when:

1. It is necessary to protect the integrity, security, or functionality of College computing resources.
2. An account or system is engaged in unusual or excessive activity.
3. It has good cause to believe that regulations, rules, or laws are being violated.

Additionally, the normal operation and maintenance of the College's computing resources requires the backup of data, the logging of activity, the monitoring of general usage patterns, and other such activities as may be necessary in order to provide desired services.

C. User Responsibilities

Access to computing resources and network capacity is a privilege to which all College faculty, staff, and students are entitled. (Access may be granted to other individuals affiliated with the College or College personnel, as situations warrant and with approval from the Director of Information Technology.) Certain responsibilities correspond with that privilege. These include those responsibilities listed below. Since no list can cover all possible circumstances, the spirit of this policy must be respected, namely: any action that hinders legitimate computer usage or invades the privacy of another person or institution is unacceptable.

1. USE OF CIT FACILITIES

A. All facilities of the Center for Information Technology, including those located in remote sites, are for the use of Oberlin College students, faculty, and staff. Spouses, partners, and children of members of these groups, with qualified needs, may apply to the Director of Information Technology for the privilege of using CIT facilities. Residents of Oberlin and Lorain County who have been granted library privileges are not automatically permitted to use CIT facilities.

B. Users must not abuse equipment and are asked to report any mistreatment or vandalism of computing or network facilities to CIT staff (Mudd Level A) or to The Office of Safety and Security at (440) 775-8444. Food is prohibited in all CIT computer facilities, including remote sites operated by the CIT, because of potential harm to equipment. Beverages in approved containers (sturdy, covered, reusable containers) are allowed.

rules and regulations (cont.)

C. Users should relinquish the computer they are using if they are doing non-essential work when others are waiting for a computer to perform course-related activities. Equipment should not be monopolized. Users should not use more than one computer at a time and should plan work so that the computer session is no longer than absolutely necessary. **Game playing is prohibited at all times.**

D. Users should not install software, alter system files, or disconnect any cables on computers or other equipment.

E. Users are expected to respect other users and the staff of the Center for Information Technology. Verbal or physical abuse of others, student or staff, will not be tolerated. A user must identify him or herself fully (e.g., by showing an Oberlin College ID card) to any CIT staff member or CIT student employee who so requests.

F. Users must respect all notices (such as those concerning hours of operation, printing, etc.) posted in CIT facilities and/or posted on the CIT website.

2. LEGAL USAGE

A. Information technology resources may not be used for illegal or harmful purposes, including:

- (1) Intentional harassment of others.
- (2) Intentional destruction or damage to equipment, software, or data.
- (3) Intentional disruption or unauthorized monitoring of electronic communications.

B. Software is normally distributed under three kinds of licenses: proprietary, public distribution, and shareware. Unless otherwise indicated, users should assume all software made available by CIT is proprietary and may not be legally copied.

C. CIT will not knowingly provide support for software that a user possesses in violation of its license agreement. Consultants and staff may ask for proof of ownership before helping users with their software.

D. CIT will not knowingly allow illegally acquired software to be used on Oberlin-owned computers. CIT will remove any suspect software loaded onto Oberlin College-owned computers or servers.

E. CIT WILL NOT KNOWINGLY ALLOW USE OF ITS RESOURCES (COMPUTERS, EQUIPMENT, NETWORK, ETC.) FOR THE ILLEGAL COPYING OF DIGITAL MEDIA AND FILES. NOTE: U.S. COPYRIGHT LAW PROTECTS COPYRIGHT OWNERS FROM THE UNAUTHORIZED REPRODUCTION, ADAPTATION, OR DISTRIBUTION OF DIGITAL MATERIAL, INCLUDING THE UNAUTHORIZED USE OF COPYRIGHTED SOUND RECORDINGS (E.G., MUSIC FILES), VIDEO FILES, AND INTERACTIVE DIGITAL SOFTWARE (I.E., VIDEO GAMES).

3. ETHICAL USAGE

A. Users should not use information technology resources, including personally owned computers connected to the College network, for non-College, unsanctioned, commercial activity.

B. Users should make no attempt to alter the condition or status of any computing network component in any manner.

C. Users should make no attempt to alter software other than their own, or to copy software intended only for execution.

D. Users should not interfere with, interrupt, or obstruct the ability of others to use the network or other CIT resources.

E. Users should not attempt to connect to a host via the network without explicit permission of the owner.

F. Users should not provide, assist in, or gain unauthorized access to College computing or network resources.

G. Users should not attempt to circumvent or defeat computer or network security measures.

4. SECURITY

A. The College uses various measures to ensure the security of its computing resources. Users should be aware that the College cannot guarantee such security and should apply appropriate safeguards for their accounts, such as guarding their passwords and changing passwords regularly (required for e-mail accounts), and logging out of computers when done.

B. Systems administrators of other departmental and individual computer systems are responsible for the security of information stored on those systems and for keeping those systems free from unauthorized access.

C. The default protection setting on CIT servers is that all files belong exclusively to their owner. Unless the owner changes the protection level, no file may be read, executed, or modified by users other than the owner. The only exception to this understanding is that designated members of the CIT staff may examine accounts or files of users to investigate security problems, possible abuse of the Oberlin College computing system, or violations of regulations.

5. ACCOUNT USAGE

A. Account holders should use only their own personal accounts unless given permission by an authorized member of the faculty, administration, or professional staff to use one that is designated for a specific purpose or job. Account holders may not allow others to use their personal accounts. The person holding an account is responsible for its use, and all activity originating from that account, at all times.

B. Account holders should protect their passwords and keep them confidential. Passwords should be changed frequently. Any problem resulting from irresponsible use of a password (e.g., a password that can be easily guessed or oral or written dissemination of a password) may be treated as grounds for action against the account holder. Any attempt to determine the passwords of other users is strictly prohibited.

C. Account holders should not abuse any electronic mail, bulletin board, or communications system, either local or remote, by sending rude, obscene, or harassing messages (including chain letters) or by using these systems for nonessential purposes during times when the computers are in heavy demand. Account holders should identify themselves clearly and accurately in all electronic communications, i.e., no anonymous postings. Unofficial mass e-mailings (i.e., spam) are prohibited.

D. Account holders should use only their own files, those that have been designated as public, or those that have been made available to them with the knowledge and consent of the owner.

6. NETWORK USAGE

The following are responsibilities that are particularly applicable to Oberlin's campus-wide Network, including the Residential Network (Resnet) users.

A. Only computers that have been properly virus-checked, updated, and authenticated through established procedures may be connected to Resnet and/or the campus network, unless otherwise authorized and established by CIT. Users must not attempt to circumvent this process.

B. The person recognized as the owner of an authenticated computer system is responsible for that computer's use, and all activity originating from that computer, at all times.

C. Excessive or improper use of network resources that inhibits or interferes with use by others is prohibited and will be cause for action by CIT, which may include restricting, limiting, or disabling network access.

D. Users who connect computers to the network that act as servers have the additional responsibility to respond to any use of their server that is found to be in violation of this Policy.

E. In no case shall the following types of servers be connected to the network: DNS, DHCP, BOOTP, or any other server that manages network addresses.

F. Due to the serious negative impact on network availability created by misconfigured routers, all routers (except those configured and used by CIT), or devices, which function as routers, are disallowed.

7. ENFORCEMENT

Violations of this Policy will be adjudicated, as deemed appropriate, and may include the following:

A. Loss of computing privileges.

B. Disconnection from the network.

C. Oberlin College judicial board action.

D. Prosecution under applicable civil or criminal laws.

Computer users should view the Center for Information Technology web site (www.oberlin.edu/cit) for any updates to these policies. Additional pertinent information and details may also be found there.

students' rights and responsibilities

I. The Honor Code and Honor System

The general faculty voted to approve the following revised Honor Code and Honor System on April 30, 2002.

A. Purpose

The Honor Code: Students are on their honor to do their own academic work. The Honor Code is based on the assumption that academic honesty lies at the heart of the academic enterprise. It provides the foundation for the intellectual freedom that is encouraged and shared by all members of the academic community and embodies the belief that true academic freedom and discourse can only exist within a framework of honesty, integrity, and responsibility, values essential to the life of an engaged citizenry. Adhering to the Honor Code involves at a minimum acknowledging by means of proper citation the sources of all quotations and ideas not the writer's own. Students are required to utilize principled and sound judgment regarding all interactions within the academic enterprise and to abide by the regulations set forth below.

With the privilege of pursuing an Oberlin education comes the responsibility of supporting both the expectations and the spirit of the Honor Code. This requires each individual to respect all fellow members of the Oberlin community and to vigorously support the protected nature of intellectual property. Oberlin fosters and promotes a strong commitment to open and thoughtful intellectual discourse within the context of the principles defined by the Honor System. It is expected that the core values inherent to the Honor Code will be adopted and upheld by all members of the Oberlin College community.

The Honor System provides a framework for academic work at Oberlin College. Its purpose is to maintain a high standard of honor in all curricular work, to respect students' ability to adhere to this standard, and to encourage further development of this ability by faculty, administration, and students. The Honor System embraces the Honor Code and a system of administering it.

The default assumption covering all academic exercises is that students are required to do their own work without help from others not explicitly authorized by the instructor. Students may, however, use sources of assistance routinely offered to all students, such as reference librarians and writing tutors.

B. Definition of Terms

1. Cheating occurs when a student does not do his or her own work on an academic exercise. Examples of cheating include, but are not limited to:

- A. Copying from another student's examination.
- B. Allowing another student to copy from your examination.
- C. Using outside materials on an examination that are not authorized for use during the test.
- D. Preparing notes to take into a closed-book examination, for example writing on your hand or desk.
- E. Collaborating on a project that was intended to be the work of an individual student.

2. Plagiarism: The appropriation of the work or ideas of another scholar – whether written or not – without acknowledgement, or the failure to correctly identify the source, constitutes plagiarism regardless of whether it is done consciously or inadvertently. A lack of knowledge of the standards of academic citation does not excuse violating the principles of the Honor Code.

Plagiarism may take many forms. In its most blatant form, entire phrases, sentences, or paragraphs are used verbatim, without quotation marks or the appropriate citation. But it is also plagiarism to paraphrase the work of another without attribution, or to take a written passage and alter a few words in an effort to make the writing one's own. Moreover, the use of another's idea which cannot reasonably be regarded as common knowledge, is plagiarism. Non-textual images such as drawings, graphs, and maps are also subject to plagiarism, as are the experiments, computer programs, musical compositions, and Web sites of others. Since footnoting and bibliographical conventions differ significantly between disciplines, students should consult with their professors about the conventions of academic footnoting and bibliographical documentation expected in a particular course. Standard published sources used as guides to citation style include:

Gibaldi, Joseph. *MLA Handbook for Writers of Research Papers*, 5th ed., 1999.

McMillan, Vicky. *Writing Papers in the Biological Sciences*, 2001.

Turabian, Kate. *A Manual for Writers of Term Papers, Theses, and Dissertations*, 6th ed., 1996.

Publication Manual of the American Psychological Association, 5th ed., 2001.

The Chicago Manual of Style, 15th ed., 2003.

There are also many websites with useful information concerning the appropriate use of sources as well as acceptable footnote and bibliographical style. Among these are:

<<http://library.berkeley.edu/TeachingLib/Guides/Internet/Style.html>>.

<<http://www.dartmouth.edu/~sources>>.

3. Fabrication: Fabrication occurs when a student consciously manufactures or manipulates information to support an academic exercise. Some examples of fabrication are:

- A. Falsifying citations, for example by citing information from a non-existent reference
- B. Manipulating or manufacturing data to support research.
- C. Taking another student's examination or writing another student's paper.
- D. Listing sources in the bibliography that were not used in the academic exercise.

4. Multiple Submissions: The same work may not be submitted to more than one course without the prior approval of all instructors involved. Reasonable portions of a student's previous work on the topic may be used, but the extent of the work must be acknowledged.

5. Other Acts: Students who misrepresent academic information to College officials, for example by **falsifying** grades or **forging** College documents, records, or signatures, have violated the Honor Code. Destroying, hiding, and improperly removing or retaining **library materials** with the intent of denying others access to those materials also are violations of the Honor Code.

6. Complainant: the person bringing a charge against someone under the Honor Code.

7. Respondent: the person against whom a charge is brought under the Honor Code.

8. The Relevant Dean: the Dean of the College or the Conservatory, or both, depending on where the student is enrolled.

C. Scope

The Honor Code applies to all academic work, including but not limited to examinations, quizzes, papers, recitals, and laboratory assignments. Violations of the Honor Code include cheating, plagiarism, fabrication, multiple submissions, and other acts as defined above in section B.1-5. (In instances where there is a lack of clarity about whether a case falls under the jurisdiction of the Judicial or Honor System, the chair of the Student Honor Committee will consult with the Dean of Students who will determine jurisdiction.)

D. The Function and Administration of the Honor System

1. The Student Honor Committee (SHC) shall supervise the Oberlin College Honor System. The student body of Oberlin College, with the approval of the General Faculty, originated and adopted the Honor System, which places with students full responsibility for academic honesty. The administration of the Honor System requires the collective and individual cooperation of the entire College community. Oberlin's Honor System is designed to protect students' academic freedom.

2. Students and faculty members shall be responsible for eliminating conditions conducive to violations of the Code; such conditions shall either be discussed by the students and faculty members involved or be reported directly to the SHC.

3. Students, faculty members, and administrators have specific obligations under the Honor Code. These are outlined below:

A. Students should be prepared for all academic exercises. This will reduce the motivation to cheat. Students should take steps to ensure that other students cannot cheat from them. Additionally all students **must**:

- (1) Not condone cheating on the part of others.
- (2) Refuse to assist others in fraudulent acts.
- (3) Ask the professor for clarification if they do not understand how the Honor Code pertains to any given assignment.
- (4) Inform the SHC or the professor if they have knowledge of or have observed an infraction of the Honor Code.

B. Instructors are expected to make explicit on their syllabi or by some other means of communication how the Honor System operates under the particular work arrangements in their courses. In the absence of explicit instructions from the professor, students should presume that all work must be their own and that they may not collaborate with others in its preparation. In addition, all instructors **must**:

- (1) Leave the room during examinations and quizzes after giving out the test and answering questions, **except** in cases when technical or specialized circumstances require the instructor's presence. At his or her discretion, the instructor may remain or return for a short period of time as a resource, but under no conditions shall the instructor proctor an exam or quiz.
- (2) Contact the SHC regarding suspected infractions of the Honor Code.

students' rights and responsibilities (cont.)

4. At the end of each academic exercise students shall write in full and sign the Honor Pledge: "I affirm that I have adhered to the Honor Code in this assignment." If a student does not follow the appropriate procedure, faculty members have the option of withholding the grade until the student writes the **Honor Pledge** correctly, although they may not penalize students for an oversight.

5. Violations:

A. A student who has violated the Honor Code may report him or herself directly to any member of the SHC at any time.

B. A faculty member observing or having evidence of a violation of the Code is responsible for reporting this to any member of the SHC. A student observing or having evidence of cheating is responsible for reporting this to the professor teaching the course or any member of the SHC. (If a student reports the matter to a professor, that professor may become the complainant.) The complainant may first give the respondent an opportunity to report his or her own case. If the complainant is a faculty member, he or she is strongly urged to contact the respondent first. Members of the community who have questions about how to report a suspected violation of the Honor Code should speak with the Office of the Dean of Students.

C. A student or faculty member observing or having evidence of a faculty member not fulfilling his or her obligation under the Honor System is responsible for reporting this to the General Faculty Honor Committee (FHC). The complainant is encouraged to contact the respondent first.

E. Authority within the Honor System

1. One of the primary responsibilities of the Student and Faculty Honor Committees is to **educate** the student body and faculty about the purpose, scope, and spirit of the Honor System.

A. The SHC will identify one to three members who will return for Orientation to introduce new students to the Honor System.

B. The Student and Faculty Honor Committees will create, maintain, and circulate annually to faculty an up-to-date **resource sheet** that conveys to faculty members how the Honor System might be applied in various situations.

C. The Faculty Honor Committee will appoint a representative to provide an introduction to, or refresher about, the Honor System during the annual fall **Orientations for New Faculty and for Faculty Advisors**.

D. The SHC will work to create programming that promotes community dialogue about academic integrity by sponsoring special programs such as round table discussions and guest lecturers.

2. The Student and Faculty Honor Committees shall maintain an open channel of communication between the Honor Committees and the larger campus community.

A. The **SHC** shall submit a summary (with name[s] and other identifiable information withheld) to *The Oberlin Review* at the start of each semester of cases from the previous semester. At least once during each academic year, the SHC shall hold an open meeting in order to report on its work.

B. **The General Faculty Honor Committee** shall submit a summary (with name[s] and other identifiable information withheld) to *The Oberlin Review* at the start of each semester of cases completed from the previous semester.

3. **The Dean of Students** shall:

A. Ensure that there is appropriate clerical support to the SHC.

B. Provide an appropriate workspace for the SHC.

C. Provide a venue for SHC to hear cases.

D. Assist the SHC in its efforts to re-staff.

E. Facilitate a meeting at least once a year between the Dean of Students (or his or her designee) and the SHC as a means of offering support and advice.

4. Membership

A. The SHC shall consist of a **minimum of 11 members** who are full-time students currently enrolled at Oberlin College. Reasonable efforts will be made to ensure that there will be at least one sophomore, one Conservatory student, three men, and three women among the members of the SHC.

B. Students will be appointed to serve two-year, renewable terms to begin July 1 and conclude June 30. Requests to renew membership will be ratified by the Student Senate.

C. Members may be removed from the SHC by a two-thirds majority vote by a minimum quorum of eleven SHC members.

D. The SHC shall have officers for an academic year, including one or two chairpersons, a secretary, and a treasurer, to be selected at the end of the second semester immediately following the Senate appointments for that academic year. The outgoing secretary will provide the Dean of Students (or his or her designee) with a report announcing the future membership and officers of the SHC within five working days of the selection of the officers.

E. During the spring semester, the Student Senate and the SHC shall seek open applications from the student body for membership on the Committee. A standing Interview Committee composed of three SHC members and three student senators will be appointed at the beginning of each academic year. An SHC chairperson and the Student Senate Membership Coordinator (or his or her designee) will fill two of the six seats on this committee. The Interview Committee will interview new applicants and will present recommendations for new members – based upon a minimum vote of four to approve – to the Student Senate for ratification.

F. When active membership falls below eleven, the chair or co-chairs of SHC must notify the Student Senate and the Dean of Students (or his or her designee). The SHC or Student Senate can request that the Interview Committee reopen the interview process at any time the Committee has open seats.

G. Newly appointed members will participate in training that should be provided in the spring or summer before the academic year during which they serve their first term.

F. Procedures of the Honor System

The SHC shall act in all cases of alleged violation of the Honor Code as described in section C. Scope; this function is to be exercised with reference to the good of both the individual and the whole community, according to the procedures described below.

1. FILING A COMPLAINT

All members of the Oberlin College community are required to report violations of the Honor Code upon becoming aware of them. Students should report these violations either to their professor or to the SHC. Professors report directly to the SHC, although they may consult with the departmental chairperson or a member of the FHC to test the validity of their suspicion. In situations where a student feels that there may be retribution for his or her reporting the violation, the student may remain anonymous by reporting through the professor. However, students are strongly encouraged to be witnesses at cases they have reported through a professor.

TO REPORT A SUSPECTED VIOLATION OF THE HONOR CODE, OR TO ASK QUESTIONS ABOUT HOW THE HONOR SYSTEM FUNCTIONS, CONTACT:

**STUDENT HONOR COMMITTEE
WILDER HALL SUITE 105, STUDENT UNION BOX 22
(440) 775-8462
OHONOR@OBERLIN.EDU
CO-CHAIR, LAUREN SHULER
CO-CHAIR, PAUL GIBSON
SECRETARY AND TREASURER, ALLISON PICKETT**

2. INVESTIGATION OF COMPLAINTS

A. When an accusation is brought to the SHC, the Committee shall **explain** the charges to the respondent and shall inquire into all factors pertinent to the case.

B. The SHC reserves the right to gather all information pertinent to the case. In the process of **gathering information**, confidentiality shall be maintained to the extent reasonably possible.

(1) Upon becoming aware of a violation of the Honor Code, the co-chairs of the SHC shall appoint one or two members to act as **Case Managers**.

(2) The Case Managers shall draft a letter, identifying the charges and including a copy of the Honor Code Process, to be sent to the respondent through registered campus mail. This letter will outline the charges being brought against the student, giving him or her the option of pleading in violation or not in violation, and will include a schedule grid in order to identify an acceptable time to schedule a hearing.

(3) The respondent and the complainant shall meet separately with the Case Managers within seven days of the respondent's receipt of the letter.

(4) The Case Managers shall gather all additional information as needed, including interviewing students and professors they deem appropriate. When the Case Managers feel that they have gathered all pertinent facts, they shall report this to the co-chairs of the SHC.

C. All documents deemed relevant by the panel chair will be made available to the panel, the respondent, and the complainant through the Office of the Dean of Students three days prior to the hearing. All panel members are required to review the documents prior to the hearing.

3. THE HEARING

A. At the next full meeting of the SHC, the co-chairs shall assemble a five-member hearing panel, including a voting chair. It is strongly encouraged that the chair be one of the Case Managers.

B. The chairperson of the honor panel shall assign a time for the respondent, the complainant, and the panel to hear the case. The time constraints of all involved will be taken into consideration. The hearing will be held as soon as reasonably possible.

C. The respondent and complainant should offer the committee written statements of their positions three days before the scheduled hearing date.

students' rights and responsibilities (cont.)

D. A hearing panel will be comprised of five members drawn from the SHC membership. Members of the committee who have conflicting interests in a case should withdraw from the process when the case is first brought to the attention of the committee.

E. Committee members shall maintain confidentiality to the extent reasonably possible. Under no circumstances shall any person with knowledge of the case (faculty, administrator, or student) reveal information that would identify the complainant or the respondent. However, the SHC will usually recommend to the complainant that he or she identify him or herself to the respondent.

F. The respondent must appear at the scheduled hearing except in the case of a documented emergency. (In such cases, and where possible, the respondent must notify the panel in advance.) Without an acceptable documented emergency, the hearing will proceed in the respondent's absence. In the event of a documented emergency, he or she may appeal the decision.

G. The complainant must be present at the hearing unless the chairperson approves his or her absence.

H. All evidence upon which a decision may be based must be introduced at the formal hearing. The Committee is sometimes forced to review material that involves plagiarism or copying. The Committee recognizes that in some instances the material may be too technical or in other ways too difficult for the Committee to judge whether a violation of the Honor Code has occurred. The Committee reserves the right to bring in consultants from the College community who might be experts in the field or who have some training in determining the original author of a work.

I. The Committee reserves the right to call other witnesses that it feels will help in the process of gathering evidence. If these witnesses do not attend, the hearing will proceed without them. Character witnesses are not permitted. Witnesses may be present at the hearing only as they are called to testify. The panel chair may accept written statements of witnesses not in attendance in cases of emergencies. The chair may permit a witness to withhold his or her identity from the respondent for reasons the chair finds acceptable.

J. All hearings will be audio taped. A transcription of the tape will be made in the event a request for an appeal is filed.

K. The remainder of the hearing shall ordinarily proceed in the following way:

(1) At the start of the hearing, the chair shall ask the respondent whether he or she is acquainted with the charges that have been filed, whether he or she understands them, and if his or her plea remains the same.

(2) All documents previously made available to the respondent, complainant, and panel members are brought into evidence at this time. The chair will ask if the respondent and complainant have had a chance to read all documents; if they have not, time will now be allotted to do so. The chairperson will review the hearing process and ensure that all understand it.

(3) The complainant will make an opening statement, and the panel chair will introduce relevant evidence at his or her discretion.

(4) The respondent will make an opening statement, and the panel chair will introduce relevant evidence at his or her discretion.

(5) The panel will question the respondent, and then the complainant.

(6) The respondent and complainant may ask questions of each other through the chair.

(7) Witnesses are brought in, allowed to make an opening statement, and questioned by the panel. The complainant and the respondent may then question the witnesses through the chair.

(8) The chair will ask the panel if they wish to meet in executive session.

(9) The panel will ask final questions.

(10) The chair will inquire whether the respondent understands the events of the hearing that has just taken place.

(11) The complainant will offer a closing statement.

(12) The respondent will offer a closing statement.

4. DELIBERATIONS

A. The panel meets in an **executive session** within 24 hours of the hearing to render a decision.

B. Ideally, panelists will arrive at a decision **consensually**. A supermajority of four panelists is required (minimally) to vote that the respondent is in violation of the Honor Code. However, only a simple majority is needed to approve sanctions.

C. The hearing panel should not consider any knowledge of **previous Honor violations** in their deliberations; however, this knowledge will be revealed to the panel upon a verdict of “in violation,” and if a previous record exists, it shall be strongly considered in the penalty phase. Knowledge of any judicial violations shall never come into consideration by the panel.

D. The committee will be guided (though not bound) by **precedent** in order to help ensure equity between cases.

E. The Standard of Proof that shall be applied is **Preponderance of Evidence**.

5. NOTIFICATION OF DECISION AND SANCTIONS

A. The chair of the SHC will **draft** a letter to the Faculty Honor Committee within 24 hours of the SHC’s decision explaining the panel’s ruling. All involved parties will take precautions to protect student confidentiality.

B. The **Faculty Honor Committee** will review the case within four working days, and send a letter to the SHC approving the case. However, the Faculty Honor Committee may request clarification or reconsideration of the decision or the sanction, or a new hearing on the grounds of error in procedure or inappropriate sanction. A new hearing or a reconsideration will occur within five working days of the SHC’s receipt of the request.

C. If approved, the SHC will send a letter to the relevant dean ordinarily within 24 hours of receiving the approval letter from the Faculty Honor Committee.

D. The relevant dean will send a **letter** to the respondent informing him or her of the SHC’s decision within 24 hours. The letter will be copied to the complainant and the panel chair.

E. The respondent and complainant may contact the panel chair for any available **explanation** of the decision.

F. All letters, regardless of the decision, shall be kept for the **case files** of the SHC.

6. SANCTIONS FOR HONOR CODE VIOLATIONS

A. In the case of a violation of the Honor Code, a notation of honor probation shall be made on the violator’s internal record. Sanctions that may be considered by the SHC include, but are not limited to:

- (1) A formal reprimand and warning.
- (2) The loss, limitation, or restriction of certain non-essential rights in the College, such as participation in extracurricular activities or representing the College off-campus.

(3) A recommendation that the instructor issue a failing grade for the assignment. Ultimately, the instructor maintains the right to assign a failing grade for the assignment or the course.

(4) Withholding the diploma of a graduating senior until the completion of the sanctions.

(5) Prohibiting participation by a graduating senior in the commencement ceremony.

(6) Suspension.

(7) Expulsion.

B. The above sanctions may be assigned individually or in combination at the discretion of the SHC. In appropriate cases, the Committee may assign a reflective paper and/or the revision of a paper at issue.

C. Ordinarily, the notation of honor probation will not appear on the violator’s external transcript in the case of his or her first violation, but may be released with other academic information upon the violator’s written request. Failure to comply with the sanctions assigned by the Committee shall constitute a further violation.

D. In the case of a second violation, the committee is urged to adopt a sanction of suspension, expulsion, or, in the case of a graduating senior, refusing to allow the violator to participate in commencement exercises or delaying by a semester or more the awarding of the degree. Any punitive action as a result of a second offense shall be noted on the violator’s official transcript as being the result of an Honor Code violation.

Note: Students who have been suspended and seek reinstatement may not transfer credit for courses taken at other institutions while suspended unless an appropriate office of Oberlin College (e.g. Dean of Studies or the Conservatory Associate Deans) had required or recommended that work be completed elsewhere. Please also see the Course Catalog (online at <http://catalog.oberlin.edu/content.php?catoid=154#susp>.)

7. APPEAL

A. Appeals may be granted for four reasons:

(1) A **mishandling** of the case from a procedural standpoint.

(2) An **inappropriate sanction**.

(3) **New evidence not reasonably available at the time of the hearing**.

(4) A decision made in the **absence of a respondent** who missed the original hearing because of a documented emergency.

students' rights and responsibilities (cont.)

B. Only respondents have the right to appeal.

C. The respondent may appeal in writing to the Dean of the College or of the Conservatory within five days of the receipt of the decision. The letter to the Dean from the respondent must indicate which of the four reasons above is pertinent and give a clear rationale for why the appeal should be granted.

D. In the event that the relevant academic Dean grants an appeal, the case will be heard by a new panel of Honor Committee members. Members of the original hearing may not be involved with the new hearing.

E. The academic Dean is urged to communicate the decision to the respondent, complainant, and the SHC within 10 days, together with an explanation of the rationale.

F. In the event that a request for an appeal is denied by the relevant Dean, an ultimate appeal may be made to the President of the College (or his or her designee) in writing within 10 days of the Dean's decision. The President's decision (or that of his or her designee) is final.

8. RECORDS

A. A record of the case with the violator's name deleted shall be kept on file in the Office of the Dean of Students. A complete record of the case shall be kept in a locked file in the relevant Dean's office, accessible only to the SHC members and the divisional Deans. The Dean of Students may make use of these files only as consistent with the College's policy on student records or other applicable College regulations pertaining to students' privacy. If notation of the penalty is to be retained permanently on the student's permanent record (as provided under section b. below), the record of the case likewise shall be kept permanently. Otherwise this record shall be destroyed seven years after the commission of the offense or upon the graduation of the student involved, whichever comes first.

B. When the SHC is satisfied that the sanctions have been fulfilled, the notation of probation shall remain on the violator's permanent internal academic record; it shall be noted that the action was taken as a result of a first violation of the Honor Code.

C. **Precedent log.** The Office of the Dean of Students shall maintain (without name[s] or other identifiable information) a database of charges, Committee decisions, and sanctions applied. The database will be for the use of the Student and Faculty Honor Committee members.

G. Revisions and Modifications

1. The Honor System Charter may be amended by a two-thirds vote of the Committee, subject to the approval of the student governing body and the General Faculty.

2. The Honor System will be reviewed in every year ending in 0 and 5.

II. Student Governance and Activities

A. Eligibility

Any regularly enrolled full-time student is eligible for all recognized extracurricular activities; all others are not.

B. Student Government (Constitution of the Association)

Passed by a vote of the student body and by the General Faculty on April 15, 1997. (The Constitution was amended minimally in spring 2006 and approved for publication by the Dean of Students and the President's Offices.)

PREAMBLE

We, the students of Oberlin College, hold that those who are affected by the decisions of a community should be involved in the shaping of those decisions. Therefore, we establish this Constitution to promote student interests, to enhance dialogue and understanding within the student community and the larger Oberlin College community, and to coordinate the direct participation of students in the governance of Oberlin College.

ARTICLE I: PURPOSE AND MEMBERSHIP

The purpose of this Constitution is to define the structure and powers of the governance organizations of the students of Oberlin College, whom are hereafter referred to as 'the student body.'

For the purposes of this Constitution, all persons who are enrolled as full- or part-time students in the Conservatory of Music and/or the College of Arts and Sciences are considered to be members of the student body and are eligible to be members of any organization established by, or under the authority of, this Constitution.

ARTICLE II: THE STUDENT SENATE

Section 1: The Purpose of the Student Senate

The Student Senate is the central governance organization for the student body. It is the principal advocate for the interests of the student body as a whole to the Oberlin administration and faculty, and ensures effective student participation in the faculty governance system. The Senate is a central forum for common dialogue within the student community, and for the

development of legislation to actualize common goals. The Senate is responsible for ensuring the coordination, effectiveness, and accountability of all student government organizations.

The Senate also encourages and supports student organizations, initiatives, and activities.

Section 2: Student Senate Composition

The Senate will be composed of 15 senators, elected at-large from the members of the student body, at least one of which will be a Conservatory of Music or Double-Degree student.

Section 3: Responsibilities of Student Senate

The Senate will:

- A. Represent the student body in College governance and pursue the adoption of policies that are beneficial to the student body.
- B. Provide a forum for constructive dialogue and decision making that is inclusive of all students.
- C. Appoint and remove student members of working groups and faculty and administrative committees (see Article II, sections 9-15).
- D. Create and abolish working groups.
- E. Approve charters of student organizations.
- F. Serve as the board of appeal for the Student Finance Committee (see Article II, section 11).
- G. Approve Senate by-laws.
- H. Elect officers (see Article II, sections 6-7).

Section 4: Responsibilities of Student Senators

The responsibilities of senators will be to:

- A. Serve as an officer.
- B. Serve on a Faculty or Administrative Committee.
- C. Serve on the General Faculty.
- D. Serve on the College Faculty, if applicable. Senators from specific committees, as stated in the College Faculty by-laws, serve as members of the College Faculty.
- E. Attend all Senate, faculty and administrative committee meetings, and working group meetings of which the senator is a member in accordance with the Senate attendance policy.
- F. Perform publicity and communication with the student body.
- G. Hold weekly office hours.
- H. Contribute to the legislative work of Senate.
- I. Failure to execute these duties is cause for removal, in accordance with Article II, section 10.

Section 5: Elections

- A. Fifteen senators are elected at-large from the members of the student body, with staggered elections during the fall and spring semesters.
- B. Candidates are encouraged to seek endorsements from student organizations, residence halls, or co-ops. Such endorsements are printed on the ballot along with the candidate's name, and on published candidate statements. Candidates may be endorsed by more than one organization. Organizations may endorse as many candidates as they see fit, and may use any criteria for making their endorsements. Each organization may determine (by the decision-making process set out in their charter) the procedures for endorsing candidates. The Senate must be informed of those procedures so that it can ensure the validity of endorsements. Organizations and endorsed candidates may place commitments on one another, but a senator, once elected, may not be removed by an endorsing organization.
- C. The Senate must hold elections within the first three weeks of the start of classes. The Operations Manager coordinates the nomination period, which will last at least eight days after the announcement calling for nominations. The Operations Manager shall also coordinate the elections, which last for five days or until quorum for the election has been met, whichever is longer.
- D. For quorum to be met in a regular fall or spring election, 20 percent of the student body must vote. Quorum for a vacancy-filling election is 10 percent of the student body.
- E. At the beginning of each semester, all who are enrolled as full or part-time students in the Conservatory of Music and/or the College of Arts and Sciences and are either current senators or those whose Senate term is expiring shall serve as the Interim Senate (see Article II, section 7).
- F. If all Conservatory or Double-Degree students' Senate terms are expiring, the Interim Senate will actively recruit Conservatory students to run for Senate. If at the end of a week of recruitment no Conservatory candidates are found, the Conservatory requirement is void.
- G. If all Conservatory or Double-Degree students' Senate terms are expiring, the top Conservatory vote-getter and the top other vote-getters become senators. The requirement for a Conservatory or Double-Degree student does not affect vacancy-filling elections.

students' rights and responsibilities (cont.)

H. The Student Senate must call an election and open nominations within one week if more than three seats are vacant.

Section 6: Officers

The officers of the Senate shall be elected during the first meeting of the full Senate, with the exception of the Operations Manager.

The officers are as follows:

A. Liaison, who is a Senate spokesperson in communication with the staff, faculty, administration, alumni, and trustees of Oberlin College, as well as the greater community. In specific instances, the Liaison may extend this role to the Associate Liaison. The Liaison coordinates the legislative work of Senate and the Advisory Councils. Any legislation needing further approval or action will be delivered to the appropriate committee or administrator by the Liaison.

B. Associate Liaison, who works closely with the Liaison to coordinate the legislative work of the Senate and Advisory Councils. The Associate Liaison coordinates student involvement and activism with regard to the Senate's legislative work and the Advisory Council. The Associate Liaison coordinates regular full Senate meetings with relevant administrators. If the Liaison is absent from any capacity where the Liaison has ex officio status, the Associate Liaison shall serve as acting Liaison.

C. Recording Secretary, who keeps the agenda and coordinates taking minutes for Senate meetings. The Recording Secretary will distribute copies of all passed legislation to the General Faculty through the General Faculty Council, to the Dean of Students, to the Board of Trustees, and to the Secretary of the College.

D. Operations Manager, who coordinates elections and runs an annual training retreat for the Senate. The Operations Manager coordinates and keeps the Senate focused on its long-range-plans, specifically those adopted at the Senate retreat. Elections for Operations Manager must take place by December 1 for Spring Semester and by May 1 for Fall Semester. The senator elected to Operations Manager must be in the first semester of that person's two-semester term and must not have plans to graduate or take a leave of absence the following semester.

E. Student Affairs Liaison, who coordinates the Senate referendum and Senate office hours, administers the Senate e-mail account, and works to solicit student opinion.

F. Technology Manager, who manages the Senate website, Senate e-mail account, and technology support.

G. Forum Coordinator, who is in charge of the organization and who conducts forums and other Senate-sponsored events and community-building activities.

H. Publicity Coordinator, who is in charge of publicity, including the publication and distribution thereof, regarding Senate events and activities, and who advertises nominations for Senate elections.

I. Outreach Coordinator, who is in charge of the bulletin board, the Senate newsletter, and additional outreach, publicity, and electronic correspondence regarding Senate information. The Outreach Coordinator is in charge of communication with existing campus publications and media. The Outreach Coordinator will publicize all passed legislation to the student body.

J. Membership Coordinator/Treasurer, who serves as the Senate treasurer, manages the Senate office and Senate mailbox, monitors the attendance of senators, and is responsible for Senate payroll and individual senator accountability.

K. Committee Coordinator, who monitors the attendance of student members of Advisory Councils and of student members of faculty, administrative, and ad hoc committees. The Committee Coordinator coordinates appointment interviews and recommends appointments and removal to the Senate. The Committee Coordinator serves as the liaison to student members of committees.

L. Student Finance Chair, who chairs the Student Finance Committee.

M. Organization Liaison, who is the Senate's principal liaison to all student organizations, ensuring that organizations are informed of and have the opportunity to be involved in the work of student government bodies. The Organization Liaison coordinates prompt consideration of organization charters.

N. Governance Chair, who ensures that senators, student committee members, and the college community are informed about campus governance. The Governance Chair shall act as a resource for senators and students on the college governance system. The Governance Chair shall coordinate a project each year during orientation to teach new students about the campus governance system and activism.

O. Process Coordinator, who will publish the Senate by-laws and coordinate by-law revisions. The Process Coordinator will keep the Senate handbook up to date and look into Senate reforms. The Process Coordinator shall act as a resource on Senate's operating procedures.

P. The experience and expertise of the Senate membership as well as Senate priorities vary. Therefore, the Senate may amend the above officer positions, both in number and content, to best suit the individual Senate's needs, at its Retreat or at the first meeting of the full Senate. This may be done by a majority vote. These amendments will be considered as an interim agreement that will last for one semester.

Q. The Senate may amend the above officer duties and titles with a two-thirds vote.

Section 7: Interim Senate

The Interim Senate consists of all who are enrolled as full or part-time students in the Conservatory of Music and/or the College of Arts and Sciences and are either current senators or those whose Senate term is expiring.

A. From the end of one semester until the election of senators the following semester, the Interim Senate shall serve three main functions: conducting appointments, educating the student body about campus governance during orientation, and conducting elections for other senators.

B. The Interim Senate will meet at least once before the end of the semester to elect the interim officers for the following semester, to choose someone to coordinate Senate activities over the summer, and to plan for any student government business that must be dealt with before elections.

C. Each Interim senator may sign up to fill one position on a College, Conservatory, or General Faculty Committee for the following semester. The Committee Coordinator shall organize all other appointments (see Article II, section 9).

D. The Interim Senate shall act as an elections committee in the fall, with the Operations Manager coordinating the election. Senators whose term is expiring and are seeking re-election shall not serve as part of the elections committee.

Section 8: Legislation

A. The Senate will consider adopting legislation on any issue of concern to students or referred to it by working groups, student organizations, or faculty committees.

B. Any legislation needing further approval will be delivered to the appropriate committee or administrator by the Liaison. Due to the Senate's role as the principal legislative body of the student community, committees should promptly consider any referred legislation and distribute it to their members through normal committee procedure.

C. The Senate will publicize all passed legislation to the student body. The Senate will distribute copies

of all passed legislation to the General Faculty through the General Faculty Council, to the Dean of Students, to the Board of Trustees, and to the Secretary of the College.

Section 9: Student Appointments

The Senate has the power to appoint all student members of faculty, administrative and ad hoc committees, and working groups.

A. At the first full Senate meeting, the senators elected that semester will sign up to fill one position on any College, Conservatory, or General Faculty committee on which there are open student seats. All senators are expected to serve on at least one of these committees, and they should choose committees based on their interest, experience, and time commitment. Only senators who are Conservatory or Double-Degree students will take seats on Conservatory Faculty committees, and only senators who are Arts and Sciences or Double-Degree students will take seats on College Faculty committees. In the event that more senators sign up for a committee than the number of seats that are available, the Senate will hold an election to fill those seats.

B. Each senator will hold a seat on the General Faculty. If a senator is unable to serve on the General Faculty due to an academic conflict, the Senate shall appoint a replacement from the student body.

C. Upon Senate request, student members of faculty or administrative committees are members of relevant working groups, unless the Senate determines that it is not necessary for the student members of a committee to participate.

D. The Committee Coordinator shall advertise all open seats to the student body and coordinate the interview process following the senators' seat selection. Committee seats that remain open after the semester's appointments process is completed may be filled by senators. If more senators wish to become members of a committee than there are seats available, the appointments will be decided by a vote of the Senate.

E. Before the end of the spring semester, the Senate will appoint students to the SFC, Judicial Board, Community Board, Honor Committee, Forum Board, and Student Union Board. Seats should be reserved on all other regular faculty, administrative, or ad hoc committee until after the fall election. [Note: Sections 11-14 below outline exceptions to the appointment process described in this section.]

F. At least two senators must be present at an interview to recommend an appointment.

students' rights and responsibilities (cont.)

G. Any committee may designate up to two of its members as non-voting representatives to participate in interviews for student seats on that committee. More representatives may be allowed at the discretion of the Senate.

Section 10: Removal of Student Appointee

The Senate has the power to remove any student member of a faculty or administrative committee, the Senate, or working groups.

The Committee Coordinator will record attendance of student members of committees. The Membership Coordinator will record attendance of senators and members of Advisory Councils.

A. The Membership Coordinator may recommend removal of senators from the Senate, a committee, or a working group for poor attendance, but not for ideological reasons. The Committee Coordinator may recommend removal of student members from a committee or working group for poor attendance, but not for ideological reasons. If a student assigned to a working group fails to attend, that student may be removed from his or her faculty and administrative committee seats.

B. The Membership Coordinator may recommend that a senator be removed for not participating in publicity campaigns, and for not holding weekly office hours.

C. A removal is enacted by a two-thirds vote of the Senate. [Note: Sections 11-14 below outline exceptions to the removal process described in this section.]

Section 11: Student Finance Committee

The members of the Student Finance Committee (SFC) are appointed by the Senate to allocate the Activity Fee. Members are chosen from the student body at large, with the exception of a chair, who will be the Student Finance Chair of the Senate.

A. Five of the seven members of the SFC will be appointed in the spring prior to their year of service. The Senate will elect the Student Finance Chair, and will appoint a first-year student in the fall.

B. An organization may appeal its SFC budget allocation to the Senate after completion of the SFC's regular budgeting process. An organization must decide to initiate an appeal using the decision-making process set out in its charter. The Senate should agree to hear an appeal only if the organization can demonstrate that the SFC has used its power unfairly or in an arbitrary manner.

C. Members of the SFC are invited to attend the Senate meeting when an appeal is heard.

D. If the Senate finds that an appeal is legitimate, it may recommend to the SFC that it make an alternative budget allocation. If the SFC rejects the recommendations, the organization may appeal to the Senate once more. In the case of a second appeal, the decision of the Senate is final.

E. Senators may not vote on appeals from an organization that has given them a ballot endorsement. Neither the Student Finance Chair nor the Organization Liaison may vote on any SFC appeal.

F. No senator who is a member of the SFC may vote on an SFC budget or ad hoc request from an organization that has given them a ballot endorsement, nor may they chair an SFC discussion of the request.

G. The Student Senate may not appeal its own budget.

H. The Student Senate may not remove members of the SFC as it can other committees.

Section 12: Forum Board

The Student Senate will appoint all members of the Forum Board.

A. Five members of the Forum Board will be selected from the student body in the spring prior to their year of service. A membership term lasts for one academic year.

B. The Student Senate may not remove members of the Forum Board as it can other committees.

C. The Senate shall not hear budget appeals from the Forum Board.

Section 13: Judicial/Community Board Appointments

The members of the Judicial Board and the student members of Community Board will be appointed in the spring by the Student Senate, in accordance with Student Rights and Responsibilities, Section IV, E, sections 2 and 3 of the Student Regulations, Policies, and Procedures.

A. The Student Senate may not remove members of the Judicial or Community Boards, as it can the members of other committees.

Section 14: Honor Committee Appointments

The members of the Honor Committee will be appointed in the spring by the Student Senate, in accordance with Student Rights and Responsibilities Section II, E, section 4. a.-g. of the Student Regulations, Policies, and Procedures.

A. The Student Senate may not remove members of the Honor Committee as it can other committees.

Section 15: Student Union Board Appointments

The members of the Student Union Board will be appointed in the spring by the Student Senate, in accordance with the Student Union Board constitution.

Section 16: Plenary Sessions

The Senate will meet in plenary sessions no more than two weeks apart.

- A. The Internal Secretary will take items for the agenda of each meeting. Any senator may add an item to the agenda.
- B. The facilitation of Senate meetings will rotate between all Senate members on a volunteer basis.
- C. Senate meetings will follow the principles of the Feminist Process, promoting inclusive conversation and striving toward consensus.

Section 17: Quorum

The quorum for voting in the full Senate is 10 senators, if called by a senator.

Section 18: Accessibility of Proceedings

The Senate's proceedings must be accessible and well publicized to the student body.

- A. All Senate meetings must be open to any member of the student body.
- B. Senators must hold regular open office hours.
- C. The Senate must publicize its agenda and minutes, and provide for student input.
- D. The Senate must publicize attendance and vote charts.
- E. The Senate must publish a newsletter at least once per month. The newsletter may be distributed in any form that will widely reach the student body, including paper or electronic mailings, etc.
- F. The Senate must publicize any open seats on faculty and administrative committees.

Section 19: Compensation for Senators

Compensation for senators will be through an hourly wage, set at the minimum wage on the student employment pay scale.

- A. To receive compensation, senators are expected to perform their duties as listed in Article II, section 4. Senators cease to receive wages upon removal from the Senate.
- B. Senators will be paid directly from the student activity fee budget. The Senate must apply to the Student Finance Committee for any additional funding.
- C. The wage provision must be reaffirmed bi-annually (every other year) by a student referendum. A minimum of 50 percent of students must vote, and a majority must approve.

ARTICLE III: WORKING GROUPS**Section 1: Purpose**

Working groups are the principal forum for students to formulate recommendations and proposals to the administration, Senate, and faculty and administrative committees on a particular set of issues. A working group may consist of senators, student members of faculty and administrative committees, and other students and non-voting faculty and administrators appointed by the Senate. Working groups may, as appropriate, involve the community in their work by holding public meetings and consulting with faculty members, students, and staff with expertise or interest in an issue area.

Section 2: Creation

Working groups are created by the Student Senate to work on legislative activities. They are established by a majority vote of the Senate.

The Senate determines which senators, faculty committee student members, individual students, and administrators serve on a particular working group.

Section 3: Membership

The makeup of working groups must include a minimum of one senator. If that senator is the entire makeup of the group, the senator should be open to consultation and seek input collaboratively.

The Senate may appoint student members of faculty or administrative committees as members of a working group.

The Senate may appoint faculty or staff members to sit on working groups as ex officio, non-voting members.

Working groups may invite other students, staff, and faculty members to attend meetings as guests.

ARTICLE IV: REFERENDA AND CONSTITUTIONAL CHANGE**Section 1: How to Call for a Referendum**

A referendum can be called by a majority vote of the Senate or by a petition with 100 student signatures presented to the Senate. Petitioners should have a topic on the petition that is a singular phrase or clause and in line with the preamble to this constitution.

Section 2: Results

The Senate and its working groups are compelled to consider the results of any referendum.

Section 3: Constitutional Change

Amendments that significantly change the structure or intent of this Constitution must pass a student referendum. A minimum of 50 percent of students must vote, and a majority must approve the amendment.

students' rights and responsibilities (cont.)

Section 4: Senator Removal Via a Referendum

A senator may be removed by a student referendum. For the referendum to pass, 20 percent of students must vote and two-thirds of those voting must approve the referendum.

ARTICLE V: STUDENT ORGANIZATIONS AND ASSOCIATION

Section 1: Organizing Groups

Any group of students is free to organize for any purpose in accordance with the regulations of Oberlin College.

Section 2: Advisors

Advisors to student organizations will be chosen or approved by the organizations concerned.

Section 3: Publications

A. Students may publish newspapers, journals, magazines, or other publications as they wish.

B. The Senate or College authorities may not exercise censorship over the content of these publications.

Section 4: Amendments to Student Organization Charter

The charter of a student organization may be amended by the respective organization, subject to approval by the Senate.

ARTICLE VI. POWERS

Nothing in this Constitution prevents the General Faculty, the President of the College, or the Board of Trustees from acting with the powers accorded to them by the by-laws of Oberlin College. This Constitution supersedes and overrides any previous Constitutions, charters, and regulations.

III. Student Bill of Rights

A. Philosophy

It is understood that Oberlin students are adults. Therefore, Oberlin College does not act in *loco parentis*. The College provides students with the freedom and encouragement to make decisions and requires them to assume responsibility for and accept the consequences of their behavior. With self-governance comes an obligation to participate in a system of regulations conducive to teaching and learning, which protects the rights, safety, and property of others, and which ensures the orderly functioning of the College. It is our aim to construct and implement these regulations in an educational, developmental, and community-based framework.

B. Preamble

Oberlin College exists as an educational community in which free inquiry and free expression are indispensable. Any assertion of rights and freedoms implies a willingness to assume responsibilities. The College community, in moving to protect individual liberty, expects the following from each of its members: recognition of the primarily academic purposes of the institution, concern for the rights and freedoms of others, and commitment to the rule of reason in settling disputes. The purpose of the delineation of rights, freedoms, and responsibilities that follows is to foster learning and the free exchange of ideas within a cooperative academic community.

C. Freedom of Access to Opportunities and Resources

1. FINANCIAL AID

The College provides financial aid through scholarships, grants-in-aid, work opportunities, and loans in order to attempt to meet the total financial needs of its students.

2. LEAVES OF ABSENCE

Any student in good standing has the right to be granted a leave of absence from the College based on policies that are published and available.

3. COLLEGE SERVICES, FUNCTIONS, AND FACILITIES

Students who are enrolled have the right to attend functions and to use all facilities and services.

D. Freedom of Expression and Scholarship

1. PROTECTION OF INDIVIDUAL RIGHTS

Learning and scholarship are at once individual and collective activities. We as a community encourage and protect free inquiry and the open exchange of facts, ideas, and opinions. Students are free to take exception to views offered in courses of study and to reserve judgment about debatable issues.

2. RESPECT FOR THE COMMUNITY OF SCHOLARS

The collaborative nature of scholarship demands that individuals recognize and acknowledge the authorship and priority of ideas and information used in their own work. In addition, individuals should be tolerant of differences in opinion, respect the convictions of others, and protect the rights of all to pursue diverse lines of inquiry. Finally, students should respect the rights of others to the privacy and solitude they require for study.

3. ACADEMIC EVALUATION

Students are responsible for understanding the policies and grading procedures of classes in which they are enrolled. Students who believe that they have been

subject to unfair or discriminatory academic evaluation by faculty members are encouraged to discuss the matter fully with their instructors. Faculty should be prepared to explain the rationale for their grading. When a resolution is not possible through such informal discussion, students may take the matter to the chair of the relevant department or, if they are not satisfied, to the appropriate Dean of the College or Conservatory.

E. Expression and Inquiry in Campus Activities

1. EXPRESSION BY INDIVIDUAL STUDENTS AND STUDENT ORGANIZATIONS

Students and student organizations are free to examine and discuss questions of interest to them and to express their opinions both publicly and privately. Members of the College are expected to take responsibility for their expressions; anonymous expressions are inimical to the free and open exchange of ideas.

2. GUEST SPEAKER POLICY

College organizations are free to bring to the College any guest speaker. The College may develop procedures for orderly scheduling and presentation of speakers and other programs. Sponsors of speakers should clearly state in their publicity the name of the sponsoring organization. Sponsorship of a guest speaker does not necessarily imply endorsement by the sponsoring group or the College.

3. STUDENT DEMONSTRATIONS

Students may participate in any orderly demonstrations that do not disrupt the operation of the College, endanger the safety of individuals, or destroy property. In any public demonstration, students are understood to speak only for themselves or for the student organizations they represent.

4. STUDENT MEDIA

A. The student media – such as student-produced radio, newspapers, literary or opinion magazines or journals, video, and film – shall remain free of censorship and prior view of copy. Editor(s) and manager(s) are free to develop editorial policies for each specific publication.

B. Editors and managers of student media are protected from arbitrary suspension and removal from office because of student, faculty, administrative, or public disapproval of editorial policy or content.

C. All student media must explicitly state that the opinions therein expressed are not necessarily those of the College community.

D. The freedom accorded student editors and managers recognizes adherence to the canons of responsible journalism and reporting, e.g., the avoidance of libel, undocumented allegations, attacks on personal integrity, harassment, and slanderous innuendo.

F. Confidentiality of Records

The College guarantees the confidentiality of student records consistent with the regulations of the Family Educational Rights and Privacy Act (FERPA). (See Students' Rights and Responsibilities Section V. Social Conduct and Regulations, AA.)

G. Associations and Organizations

A. The College guarantees students the freedom to organize and join associations within certain limitations relating to secret societies. (See Students' Rights and Responsibilities Section V. Social Conduct and Regulations, C.)

B. Student organizations are chartered according to the established procedures of the Student Senate and the General Faculty.

C. Although organizations may set membership criteria, these should have a basis in the functioning of the organization and should not be discriminatory, as specified in the College's nondiscriminatory policy.

D. No organization shall be required to submit a membership list to the College.

E. Affiliation with a non-college organization will not of itself disqualify a student organization from institutional recognition.

H. Access to Information

1. INFORMATION REGARDING COLLEGE REGULATIONS

Students have the right to access College policies and regulations, which shall be published and readily available. Students have the obligation to familiarize themselves with these regulations.

2. INFORMATION REGARDING RECRUITMENT BY SERVICE AND EMPLOYMENT AGENCIES

The College will publish the names of companies and organizations that wish to come to Oberlin to recruit for employees and the dates on which they will recruit.

students' rights and responsibilities (cont.)

I. Participation in Institutional Governance

Students, as well as faculty, staff, and all other officers of the College, must play a major role in campus governance if the College is to thrive as a community of scholars. Participation in institutional governance includes the following:

- A. The freedom to express views on institutional policy.
- B. The right of students to be appropriately informed of decisions that may affect student life and the right to offer opinions of such decisions.
- C. The right of students to propose a defined and formal means by which they may participate in the formulation, application, and review of institutional policy.
- D. Making available descriptions of existing decision-making bodies within the formal structure of campus governance.

J. Civil Rights and Due Process

No part of these regulations are intended to abrogate the civil rights of students, either as members of the College or as members of the greater College community.

1. CIVIL RIGHTS

- A. Oberlin students are members of both the College and the greater public communities. The College supports students in the exercise of their civil rights and the free exchange of ideas.
- B. Students have the right to be free from harassment (as defined under the Code of Conduct, in Students' Rights and Responsibilities Section IV, D.3) and harm for reasons of their gender, gender identity, sexual orientation, race, religion, national origin, ethnic identification, age, political affiliation, ideology, or physical or mental disability.
- C. Students have the right to enjoy a reasonable degree of privacy, within the constraints imposed by living together in close quarters.

2. DUE PROCESS

Students at Oberlin College will be treated equally and fairly under the terms of the judicial system. Basic rights include:

- A. A written statement of charges.
- B. A meeting with the Judicial Coordinator to clarify one's rights and to understand the judicial process.
- C. A formal hearing.
- D. The right to a formal review of the outcome.

3. FREEDOM FROM UNWARRANTED SEARCH

Oberlin respects students' right to privacy. The College and its officials abide by set procedures pursuant to entering or searching College property leased by or assigned to students with the understanding that this procedure in no way limits bona fide law enforcement for warranted searches.

4. RESPONSIBILITY AND THE LAW

- A. Oberlin students shall accept full responsibility for their own actions under federal, state, and local laws. While reserving the right to criticize government policy and even, in the name of conscience, to resist government decree, they shall recognize the rule of law and expect no special immunity on account of their student status. Within the College community, students must acknowledge the duly constituted role of trustees, and the organized entities of the administration, faculty and students in the political processes of the College. Students shall abide by College regulations and the decisions of the College's judicial bodies.
- B. When students incur penalties prescribed by civil authorities, they may also be subject to further discipline by the College judicial systems if there are distinct and clear College community interests involved. The appropriate judicial body will rule as to its jurisdiction in the case.
- C. When students of the College are charged with a violation of federal, state, or local law, the College has no obligation to assist them.

IV. Judicial System

A. Preamble

The purpose of the Oberlin College Judicial System is to create an environment that is conducive to excellence within and outside of the classroom, that educates students about the relationship between their personal freedom and their responsibilities to their community, that promotes the orderly functioning of the community, that holds all members of the community accountable for their behavior, and that promotes habits of effective and engaged citizenship.

B. Definition of Terms

- 1. The term "**College**" means Oberlin College, including the College of Arts and Sciences and the Conservatory of Music.

2. For the purposes of the Oberlin College judicial system, a **“student”** is defined as an individual who has been offered – and has accepted – the opportunity to enroll in regular credit-bearing Oberlin College courses. Students who are not officially enrolled for a particular term but are participating in study abroad or domestic exchange programs, or who are on leave from the College, remain subject to the College’s judicial system.
3. The term **“faculty member”** means any person hired by the College to conduct classroom activities.
4. The term **“College official”** includes any person employed by the College, performing assigned administrative or professional responsibilities.
5. The term **“staff member”** means any person employed by the College.
6. The term **“member of the College community”** includes any person who is a student, faculty or staff member, College official, or any other person employed by the College. A person’s status in a particular situation shall be determined by the Office of the President, the Dean of the College, the Dean of the Conservatory, or the Dean of Students.
7. The term **“business day”** ordinarily refers to a weekday (Monday through Friday) during those weeks in which the College is in session, excluding vacations.
8. The term **“College property”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by Oberlin College (including adjacent streets and sidewalks). This definition shall not be interpreted to infringe on any appropriately recognized jurisdiction of the Oberlin City Police or other law enforcement officials.
9. The term **“organization”** means any number of persons who have complied with the formal requirements for College recognition as a campus organization.
10. The term **“judicial board”** means the group of individuals appointed by the Student Senate and authorized by the College to determine whether a student has violated the rules and regulations and to impose sanctions.
11. The term **“Community Board”** means the group of individuals authorized by the College to hear defined categories of cases and to review cases heard by the Judicial Board.
12. The term **“review”** refers to the process of reviewing a hearing upon request, and determining if a new hearing shall be granted. The term **“review”** is synonymous to the term **“appeal.”**
13. The term **“advisor”** refers to a person assisting the complainant or respondent at a formal hearing. This person must be a member of the Oberlin College community (staff, faculty member, or student).
14. The term **“shall”** is used in the imperative sense.
15. The term **“may”** is used in the permissive sense.
16. The term **“judicial coordinator”** is a person(s) designated by the Dean of Students to be responsible for the administration of the overall judicial system and the rules and regulations thereof.
17. The term **“policy”** is defined as a written regulation of the College as outlined in, but not limited to, the published Rules and Regulations.
18. The term **“complainant”** refers to the individual(s) initiating a complaint under the Rules and Regulations.
19. The term **“charge”** refers to formal action taken by the Judicial Coordinator on behalf of the College. A charge is made when alleged behavior constitutes a violation of the Code of Conduct.
20. The term **“respondent”** refers to the person(s) or group cited in the complaint who is (are) alleged to have violated the Rules and Regulations.
21. The term **“victim”** refers to the individual(s) who has been harmed by the alleged offense.
22. The term **“complaint form”** means a written statement of the provisions of the Rules and Regulations alleged to be violated and the factual circumstances surrounding the alleged violation.
23. The term **“written”** means any written material including electronic correspondence.
24. The term **“complaint”** refers to a formal allegation presented to the Judicial Coordinator by a member of the College.

C. Jurisdiction

Oberlin College holds its students accountable for their behavior on campus. The College may also choose to address off-campus behavior whether that behavior constitutes a violation of local, state, or federal law, or a violation of College regulations if that behavior:

1. Occurs within public or private areas adjacent to the campus.
2. Occurs in connection with a College-sponsored event or when students are acting as representatives of the College.
3. Directly affects another member of the Oberlin community.

students' rights and responsibilities (cont.)

D. Code of Conduct

Students are expected to be responsible for their actions and to conduct themselves in accordance with the Rules and Regulations of the College. Violation of the Oberlin College Code of Conduct shall be grounds for disciplinary action. Violations include but are not limited to the following:

1. VIOLATIONS OF PUBLISHED REGULATIONS

A. Violations of the general rules and regulations of the institution, College Policies or Faculty Statements as published in the Rules and Regulations or any other official institutional publication, excepting those that fall under the jurisdiction of the Honor Code or the Sexual Offense Policy.

B. Violations of local, state, and federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.

2. PHYSICAL VIOLENCE

Conduct that physically harms, or might reasonably be regarded as a threat to the physical safety, health, or well-being of another individual or individuals, including but not limited to the following examples:

A. Individual or group behavior that is violent or that unreasonably disturbs other groups or individuals.

B. Threats to cause harm or abuse.

C. Acts of hazing by any individual or group. The College adheres to the definition of hazing as articulated by the Ohio Revised Code: “doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk [of] causing mental or physical harm to any person.”

D. Acts of stalking, defined by the State of Ohio Stalking Law as knowingly engaging in a pattern of conduct, related in time, that causes another to believe that the offender will cause that other person physical or mental harm.

E. Acts of sexual offense as defined by law and/or defined by the Sexual Offense Policy. (See Students' Rights and Responsibilities Section V. Social Conduct and Regulation J.3.)

3. HARASSMENT

Any verbal, physical, or written act, directed at an individual, that might reasonably be construed to intimidate, coerce, or create a hostile environment for him or her and, in turn, prevent him or her from fully enjoying the educational benefits of the College.

At the same time, proscriptions of verbal harassment must not have the effect of limiting the free exchange of ideas or opinions; rude or obnoxious behavior or speech – whether inside or outside the classroom – is not necessarily in itself adjudicable. (See Students' Rights and Responsibilities Section V. Social Conduct and Regulation H.).

Harassment includes, but is not limited to, the following examples:

A. Defamation, libel, or slander.

B. Forms of intimidation or harassment including, but not limited to stalking – patterned behavior related in time that deprives a reasonable person of the ability to enjoy the full benefits of his/her college education as a result of the perceived threat of physical or mental harm.

C. Forms of harassment as defined by the Sexual Offense Policy and the Faculty Statement on Racial Abuse and Harassment.

D. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress. This example is adapted from Ed Stoner's Model Code of Conduct.

4. BEHAVIORS THAT INTERFERE WITH COMMUNITY FUNCTION

Oberlin forbids conduct that interferes with, impinges upon, or otherwise disrupts any legitimate function of the College or its representatives, including but not limited to the following examples:

A. Unreasonable interference with or obstruction of any institutional activity, program, event, or facility, including the following: any unauthorized occupancy of the institution or institutionally controlled facilities or blockage of access to or from such facilities; interference with the right of any member of the College or other authorized person to gain access to any College or College-controlled activity, program, event, or facility.

B. Failure to comply with directions or requests of College officials acting in the performance of their duties, including any obstruction or delay of a campus security officer or College official in the performance of their duty. Failure to show or surrender ID card to College official upon proper request.

C. Unauthorized entry into or occupation of College facilities that are locked, closed to student activities, or otherwise restricted as to use.

D. Failure to comply with the provisions of the College parking and traffic regulations. Unlawfully blocking or impeding normal pedestrian or vehicular traffic on or adjacent to College property.

E. Misuse of disciplinary procedures, including the following: failure to respond to a request for an interview by the Judicial Coordinator during the investigation of a violation; knowingly falsifying or misrepresenting information before a hearing body; knowingly making a false statement; attempting to influence the impartiality of a member of a hearing body prior to, during, or after a hearing; harassing or intimidating a member of a hearing body or a witness; failing to comply with the sanction(s) imposed by the hearing body; and presenting false information or a false complaint.

F. Forgery, alteration, or unauthorized use of College documents, forms, records, or identification cards, including the giving of any false information or the withholding of necessary information, in connection with a student's admission, enrollment, or status in the College.

G. Unauthorized sales, solicitation, or door-to-door canvassing, as well as the unauthorized use of the Oberlin College name for commercial purposes.

H. Conduct that is disorderly, lewd, or indecent; breach of peace, or aiding and abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by the College, or members of the academic community. Adapted from Ed Stoner's Model Code of Conduct .

5. ABUSES PERTAINING TO COMMUNITY OR PERSONAL PROPERTY

Theft or misappropriation of College or individual property, including but not limited to the following examples:

A. Acts of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring, or unauthorized use of property including, but not limited to, fire alarms, fire equipment, elevators, telephones, institution keys, library materials, safety devices, and/or other College property.

B. Misappropriation or unauthorized possession or sale of College property.

C. Making or causing to be made any key for a College facility without authorization.

D. Acts of theft, misappropriation or malicious damage to the private property of other College community members.

E. Embezzling, defrauding, or procuring any money, goods, or services under false pretense.

6. NON-ADHERENCE TO COMMUNITY SAFETY REGULATIONS

Infractions include but are not limited to the following examples:

A. Failure to evacuate College facilities or willfully disregarding any emergency or fire alarm signal.

B. Unauthorized or illegal possession of or use of firearms (including but not limited to bb-guns and all other types of air or spring powered weapons), dangerous weapons (such as knives, swords, and martial arts weapons) or hazardous materials of any kind. With the exception of law enforcement officers, the possession of firearms on Oberlin College property or in Oberlin College buildings is forbidden.

C. Unauthorized detonation of any object or substance, including but not limited to those considered being and used as fireworks (for example: firecrackers, or sparklers, gunpowder).

D. Unauthorized ignition of flammable materials in or surrounding College facilities.

7. VIOLATIONS PERTAINING TO CONTROLLED AND UNLAWFUL SUBSTANCES

A. Unlawful and unauthorized use or possession of alcoholic beverages. (See Students' Rights and Responsibilities, Section V. Social Conduct and Regulations, N.)

B. Unlawful use or possession of any illicit drug or controlled substance (including any stimulant, depressant, narcotic, or hallucinogenic drug or substance, or marijuana), or the sale or distribution of any illicit drug or controlled substance. (See Students' Rights and Responsibilities, Section V. Social Conduct and Regulations, N.)

C. Use or possession of equipment (examples include but are not limited to bong, hookas, and bowls), products, or material used or intended for use in manufacturing, growing, using (unless prescribed by a licensed medical provider), or distributing any illicit drug or controlled substance.

E. Judicial Authority

Within the judicial system, there are a variety of individuals and groups who have responsibility for making decisions and resolving conflicts. Listed below are the decision-making bodies that have been given authority to serve within the system and a brief description of their roles.

students' rights and responsibilities (cont.)

1. JUDICIAL COORDINATOR

A Judicial Coordinator is an agent of the College and of the Dean of Students who acts on behalf of the College and the Dean of Students in carrying out all judicial functions. The Dean of Students retains the right to appoint Judicial Coordinators from among the deans in the Division of Student Life and Services. The Dean of Students also retains the right to designate a member of her/his professional staff to serve in the absence of a Judicial Coordinator. While individuals of the College community are encouraged to bring complaints to the attention of a Judicial Coordinator, it is the responsibility of the Judicial Coordinators to:

- A. Determine if the alleged behavior is an infraction of the Code of Conduct.
- B. Determine if there is enough information to warrant bringing charges.
- C. Bring judicial charges against students on behalf of the College.

Responsibilities

- A. Interpreting policies and procedures within the judicial system, in light of precedent and past practices.
- B. Training members of the Judicial and Community Boards.
- C. Training Residential Education staff members who hear cases.
- D. Maintaining judicial records and correspondence.
- E. Investigating reports of misconduct, determining if the alleged behavior is an infraction of the Code of Conduct, determining if there is enough information to warrant bringing charges, and initiating charges on behalf of the College when appropriate.
- F. Adjudicating alleged violations and determining appropriate sanctions only when 1) the violation does not warrant a sanction of suspension or expulsion, 2) adjudication by the Judicial Coordinator has been requested by the respondent, 3) the respondent admits responsibility, and 4) there is no fundamental disputation of facts.
- G. Attending (without a vote) Judicial and Community Board hearings, deliberations and appeals, and speaking in such meetings upon the invitation of the Chair.
- H. Recommending that the Registrar withhold the degree of a graduating senior until the case has been heard and properly resolved.

I. Possessing the authority – along with the Dean of Students and his or her designee – to impose a temporary stay-away, temporary housing relocation, or temporary suspension until a decision has been reached by the Judicial Board.

J. Meeting with the Chair of the Judicial Board to approve the consistent format of the letter to the respondent and to advise when necessary.

K. Meeting every other year with members of the Judicial Board and Community Board to recommend changes to the judicial system and process. Changes to this document shall be approved by the Student Life Committee (SLC) and the General Faculty (GF).

L. Reporting a summary of all cases at the end of each semester to the Oberlin College community. These will be posted in the campus newspaper and on the Oberlin web site. The summary will only include information about the charges and decisions of the boards. The summary will not contain confidential information, including the identity of the individuals.

2. JUDICIAL BOARD

Membership

A. Fifteen students will be appointed by the Student Senate to serve as members. Appointments will be made in the spring semester for the upcoming year and as vacancies arise. If fewer than five Judicial Board members will be on campus and available during the summer and winter term, the Student Senate will appoint interim members before the end of the preceding semester.

B. Members shall be appointed for a two-year term, and may be reappointed.

Responsibilities

- A. Board members shall complete a training program prior to being assigned to a case.
- B. Board members shall not participate in a hearing if they believe there is a conflict of interest, or if they feel that their participation may give the perception of an unfair or biased hearing.
- C. Board members shall hold all information in confidence. Failure to do so will constitute grounds for immediate removal and judicial action.

3. COMMUNITY BOARD

Membership

A. Nine faculty members (appointed by the Nominating Committee of the General Faculty) and six students (appointed by Student Senate) shall constitute the Community Board. Two students and two faculty members, plus the chairperson,

will constitute a panel. The Board is authorized to review appeals of judicial cases upon request and will authorize Judicial Board sanctions at the level of suspension or above.

B. One of the three faculty members shall be appointed as Chair at the beginning of the meeting.

C. Should it become necessary, student members of the Community Board may be used for Judicial Board panels, and Judicial Board members may be used as student members of Community Board, as long as the membership of hearing and appeal panels for a single case does not overlap.

Chair

A. The Chair of the Community Board shall be a non-voting member unless there is a tie.

B. The Chair shall maintain good order, recognize who is to speak, move the process along, and preside over the meeting.

Responsibilities

A. The Community Board will hear cases assigned to it by the Judicial Coordinator.

B. The Community Board reviews appeals of Judicial Board decisions and determines if a new hearing shall be granted. Additionally the Community Board may determine that the original sanction should be altered or set aside.

C. Judicial Board sanctions at the level of suspension or expulsion must be approved by the Community Board.

D. The Community Board will be the Board of original jurisdiction only for cases judged by the Judicial Coordinator to involve a) obstruction or disruption of the essential operations of the College, b) disputes between faculty members and students, or c) summary action taken against a student by the President or Dean of Students.

E. Board members shall treat all information with confidentiality. Violations of confidentiality are regarded as a serious matter.

4. RESIDENCE HALL STAFF

A. Under normal circumstances, the Assistant and Associate Deans, designated Resident Directors, and Graduate Assistants are given the authority to adjudicate minor cases involving up to three low-level violations that occur in combination, as long as that combination of violations does not warrant a sanction of probation or higher. Low-level violations include, but are not limited to, first and second instances of roommate problems, excessive noise, possession of pets, or other low-level conflicts having a bearing on the quality of life in the residence halls.

B. Under normal circumstances, the Assistant and Associate Deans, designated Resident Directors, and Graduate Assistants are given the authority to adjudicate intermediate level cases involving first time instances of:

- Failure to evacuate a building in response to a fire alarm.
- Smoking.
- Use of candles and/or incense.
- The possession and/or consumption of alcohol.

Authorized Residential Education staff members may adjudicate cases even when one of these four violations occurs in combination with up to three minor violations such as noise and/or guest policy violations as long as the combination of violations does not warrant a sanction of probation or higher.

Note: Under Normal Circumstances, Residential Education staff members are authorized to hear such cases if the reported incident is the student's first involving a violation of college policy.

C. Under normal circumstances, the Assistant and Associate Deans are given the authority to adjudicate intermediate level cases involving first instances of:

- Intoxication.
- Possession and/or use of an illegal substance.
- Possession of drug paraphernalia without residue.

If such violations occur in combination with each other, the case will be referred to the appropriate Judicial Coordinator in the Office of the Dean of Students. However, the Assistant and Associate Deans are authorized to adjudicate cases if one of the three above violations occurs in combination with up to three minor policy violations.

D. Members of the Residential Education staff who are authorized to adjudicate the kinds of cases mentioned in Section E.4.c above may impose sanctions that include verbal and written warnings, fines, community service, educational activities, and deferred probation.

E. The Assistant and Associate Deans for Residential Education shall also have the authority to relocate a student (temporarily or permanently) to another hall or house or to remove a student (temporarily or permanently) from the residential system. Students have the right to request that their cases be heard by the Judicial Board or a Judicial Coordinator instead of a member of the Residential Education staff.

students' rights and responsibilities (cont.)

F. In extraordinary circumstances, the appropriate Judicial Coordinator in the Dean of Students Office may authorize an Associate or Assistant Dean, or a designated Residential Director or Graduate Assistant in the Office of Residential Education, to adjudicate a case that would ordinarily fall outside of his or her jurisdiction.

G. Sanctions imposed by the Residential Education staff may be appealed by scheduling an appointment with a Judicial Coordinator in the Office of the Dean of Students to arrange for a Judicial Board hearing.

H. Major or persistent violations shall be referred to a Judicial Coordinator. The Judicial Coordinator will communicate with the Residential Education staff members on a regular basis to discuss behavioral issues and to determine appropriate courses of action.

F. Filing a Complaint

1. PROCESS

A. Any member of the Oberlin College community may bring a complaint about student conduct to the attention of a Judicial Coordinator. Incident Reports from Safety and Security and written reports from members of the Residential Education staff may result in disciplinary charges.

(1) Students are not required to report violations of the Code of Conduct (with the exception of violations of the Sexual Offense Policy), but should consider the consequences of non-reported incidents for the community.

(2) It may not be possible to adjudicate anonymous complaints because of the need for reasonable evidentiary standards. Therefore, community members should take seriously their obligation to report violations and to participate in resulting judiciary procedures.

B. Complaints must ordinarily be filed within 10 business days from the date of the alleged incident. A Judicial Coordinator may determine exceptions on a case-by-case basis, up to a maximum of 12 months from the alleged incident.

C. Complainants are instructed to meet with a Judicial Coordinator, who informs individuals about their rights, responsibilities, and options, as well as the hearing and/or mediation process.

D. If a complainant wishes to file a formal complaint following a conference with a Judicial Coordinator, he or she must complete a complaint form (available in the Office of the Dean of Students) and indicate a preference for mediation or adjudication.

E. A Judicial Coordinator has the authority to determine whether an alleged behavior might reasonably have constituted an infraction of the Code of Conduct and whether there is sufficient information to proceed with a charge. A Judicial Coordinator also has the authority to proceed with a charge in the absence of a complaint (or in the event that a complaint is withdrawn) if there is sufficient information from a third source, such as a Safety and Security incident report.

F. A Judicial Coordinator may also refer students involved in judicial matters to the Oberlin College Dialogue Center (OCDC) for mediation when both of the following conditions are met:

(1) Both parties agree to mediation as the appropriate means for addressing their dispute; and

(2) Major violations of the Rules and Regulations (those likely, according to precedent, to result in suspension or expulsion) have not occurred, as determined by a Judicial Coordinator.

G. All charges are filed by a Judicial Coordinator, on behalf of the College.

H. In instances where there is a lack of clarity about whether a case falls under the jurisdiction of the Judicial or Honor System, the Dean of Students or his or her designee in consultation with the co-chairs of the Student Honor Committee will determine which system (Judicial or Honor) shall hear the case.

G. Responding to a Complaint

1. PROCESS

A. The respondent shall normally receive written notice regarding a complaint within seven business days after it was reported to a Judicial Coordinator.

B. The respondent must meet with that Judicial Coordinator within three business days after receiving notification of the charge in order to discuss a) the nature of the charge, b) the rights and responsibilities of the respondent, c) the judicial process, and d) the slate of potential hearing board members. Respondents have the right to remain silent and exercising this right will not be used against them.

C. The respondent may bring an advisor to the meeting with the Judicial Coordinator. An advisor may be any member (student, faculty, or staff member) of the Oberlin College community.

D. If the respondent fails to arrange a conference with the Judicial Coordinator or return the completed form within three business days, the matter will be referred to the Judicial Board for adjudication.

E. If both parties to the dispute agree that mediation is appropriate, the matter may be referred to the Oberlin College Dialogue Center (OCDC). The Judicial Coordinator may also refer students involved in judicial matters to the Office of the Ombudsperson for mediation when both of the following conditions are met:

- Both parties agree to mediation as the appropriate means for addressing their dispute.
- Major violations of the Rules and Regulations (those likely, according to precedent, to result in suspension or expulsion) have not occurred, as determined by the Judicial Coordinator. If they do not agree, the matter will be referred to the Judicial Board.

F. The Judicial Coordinator may determine whether mediation will be the sole means of conflict resolution. While the Judicial Coordinator may require the formal adjudication of a complaint regardless of mediation, the successful mediation of an incident prior to a Judicial Board hearing may be regarded as a mitigating factor in the Board's determination of sanction.

G. All relevant security reports, witness reports, complaint forms, respondents' statements, and other relevant written materials are to be shared with the respondent and complainant two business days prior to the hearing.

H. The respondent shall receive a written copy of the judicial process and hearing procedures.

I. The Judicial Coordinator will present a list of all 15 Judicial Board members to the respondent at the meeting. The respondent and the complainant have the opportunity to request in writing to the Judicial Coordinator, within 24 hours that a specific Board member (or members, up to five) not participate in the hearing due to a conflict of interest or perceived bias. The rationale for the request shall be included.

J. After the respondent has been contacted, the complainant will be kept informed of developments and will be advised of procedures.

K. The respondent and complainant must be properly informed of the date and time of the hearing in writing and must have at least five business days to prepare.

L. The respondent and complainant shall have the opportunity to request that witnesses testify on their behalf. The Judicial Coordinator retains the authority to admit witnesses, based on the relevance of their testimony.

M. The respondent and complainant must notify the Judicial Coordinator of any advisors and witnesses attending the hearing within three business days following their individual meeting. Any scheduling needs must be addressed at that time.

N. The respondent and the complainant will be notified of each other's witnesses at least 24 hours prior to the hearing.

O. The Judicial Coordinator will encourage respondents to notify their parents or guardians of pending deliberations, and in advance of any College notification of outcome.

P. If a judicial case is also being heard by a civil or criminal court, the College retains the right to hear the judicial case before, after, or during the same time as the civil or criminal case. However, the Judicial Coordinator will entertain a request from a respondent to postpone a hearing until after a civil or criminal case if the respondent believes that the admission of information in the College's judicial process could compromise her/his ability to a fair trial in the court.

Q. The intimidation or harassment of witnesses and or Board members is a violation of the Code of Conduct and will result in judicial action.

H. The Hearing

1. PROCESS

A. The Judicial Coordinator shall assemble a panel of four Judicial Board members (from among those available) for individual cases based upon their availability, overall caseload, and level of experience. Each available panelist must indicate to the Judicial Coordinator whether they have knowledge of the participants in the case that may impair – or may be perceived to impair – his/her ability to judge a case impartially, and recuse him/herself if his/her participation might reasonably compromise the integrity of the process.

B. Board members must be provided with all written documentation at least 24 hours prior to the hearing.

C. The respondent and complainant must have the opportunity to select an advisor from the Oberlin College community (current student, staff, or faculty member) and to have that advisor present at both the meeting with the Judicial Coordinator

students' rights and responsibilities (cont.)

and the hearing. The advisors are present not to act as legal counsel, but to assist and support the student and to give advice on procedural matters. The advisors do not have speaking privileges during the hearing. A hearing will not be canceled or postponed in the event a scheduled advisor does not attend.

D. Prior to the hearing, Board members must appoint a non-voting Chair from among themselves. The Chair is responsible for maintaining good order, recognizing who is to speak, moving the process along according to the hearing procedures, and presiding over the hearing and the deliberations.

E. The Chair shall determine the relevance and admissibility of information in consultation with the Judicial Coordinator. Respondents and complainants may address questions of the witnesses and one another when recognized by the Chair. Witnesses are to speak only when they are addressed.

F. Present at the hearing are a) the Judicial Board, b) the Judicial Coordinator, c) the respondent(s), d) the complainants, e) approved witnesses, f) advisors to the respondent and complainants (as previously defined). Parents, attorneys, or other observers (with the following exception) are not permitted in the hearing.

G. Hearings may be open to the Oberlin College community if agreed upon by the respondent and the complainant.

H. If the respondent or complainant fails to appear at the hearing, the matter will be resolved in his or her absence.

I. Witnesses may be present at the hearing only as they are called to testify. A hearing will not be canceled or postponed if a scheduled witness does not attend.

J. Written statements of witnesses not in attendance due to extreme emergencies shall be considered and may be approved by the Chair.

K. At the start of the hearing, the Chair shall ask the respondent whether he/she is acquainted with the charges that have been filed, and whether he/she understands them. All written testimony previously made available to the respondent, complainant, and Board members as relevant information at this time.

L. The remainder of the hearing shall customarily proceed in the following order with all of the elements occurring at least once:

- (1) Opening statement from respondent.
- (2) Opening statement from complainant, if appropriate.

(3) Board questioning of respondent and complainant.

(4) Board questioning of witnesses.

(5) Respondent and complainant questioning of each other, and of witnesses.

(6) Final questions from Board.

(7) Complainant's closing statement, if appropriate.

(8) Respondent's closing statement.

M. The respondent and complainant must have all information (upon which a decision may be based) introduced at the formal hearing.

N. All hearings will be audiotaped. A transcription of the tape will be made in the event a request for an appeal is filed.

O. These procedures also apply to the Community Board when it is functioning as the board of original jurisdiction.

2. DELIBERATIONS

A. Deliberations shall occur in closed session immediately following the hearing or as soon as practicably possible but not more than 24 hours after the hearing.

B. During deliberations, Board members must first review the hearing and determine the responsibility of the respondent based solely on the information presented at the hearing.

C. Once the level of responsibility has been determined, Board members shall then determine the appropriate sanction(s), if necessary. Board members must not be apprised of a respondent's prior disciplinary record until the sanctioning stage of the deliberations.

D. A majority vote (from two of the three voting members) will be used when determining the level of responsibility and the appropriate sanctions, if any.

E. The standard of proof used for making a decision regarding the level of responsibility is: preponderance of evidence. This means there is belief that, on balance, it is more likely than not that the available facts support a particular outcome.

F. In the interest of fairness, sanctions must be determined with due regard for precedent. That is, the Judicial Coordinator should prepare in advance a log of similar infractions so that the Board may be guided by precedent.

G. At the conclusion of the deliberations, the Chair shall draft a letter to the respondent, to be sent by registered mail within 12 hours of the conclusion of the deliberations. This letter shall include a) the decision as to responsibility for infractions, b) any sanctions imposed, and c) information regarding the review process.

H. Complainants may be notified of the outcome by the Judicial Coordinator at the conclusion of the Judicial Board hearing and any subsequent appeals. While complainants may be informed of the respondent's culpability, they may not ordinarily be informed of sanctions imposed.

I. This deliberative process also applies to the Community Board when it is functioning as the board of original jurisdiction.

I. The Review

1. PROCESS

A. The respondent shall have the opportunity to request a review of a decision.

B. The complainant does not have the right to request a review of a decision.

C. A request for a review shall be based on one or more of the following criteria:

- (1) New information not reasonably available at the time of the hearing.
- (2) Procedural error which could reasonably be judged to have materially affected the outcome of the hearing.
- (3) Unreasonably or inappropriately severe sanctions.

D. A request for a review must be submitted in writing to the Judicial Coordinator within five business days from receipt of notification of the decision. The request for a review must include a detailed rationale that addresses one or all of the criteria. The respondent shall be notified in writing of the decision within 10 business days after it was submitted.

E. The review will be conducted by five members of the Community Board, including three faculty members (including the non-voting chair) and two students. The two students shall not have been a part of the original hearing. If the Community Board was the board of original jurisdiction, an appeal will be made to a new panel.

F. The Community Board shall meet with the Judicial Coordinator in a closed session to review the case. The review will ordinarily include, but not be limited to, a review of the taped proceedings

of the original case and the written request of the respondent. While copies of a written transcript may be made available, deliberations should ordinarily be based upon a review of the tape itself.

G. The Judicial Coordinator does not have a vote, but is there primarily to assist with the process and to provide any information relevant to the criteria.

H. In the event that the Judicial Coordinator adjudicated the case that is in question, he/she will not be present at the meeting to determine if there should be a new hearing.

I. The Community Board shall meet, reach a decision, and notify the respondent of the decision within 10 business days from the time a review has been requested.

J. The Community Board shall decide if there is sufficient reason to grant a new hearing of the Judicial or Community Board. The Board may also determine that the original sanction should be altered or set aside.

K. The Community Board shall meet with members of the original hearing board in the event additional clarification is needed.

L. In the event that a new hearing is granted, it will be conducted by the board of original jurisdiction (Judicial or Community). Members of the original hearing panel may not be involved with the new hearing. The decision from a new hearing is final and is only appealable to the President.

M. The Chair shall draft a letter immediately to the respondent once a decision is reached. The letter shall outline the decision of the Community Board and the rationale. If there is no additional appeal, the Judicial Coordinator may acquaint the complainant (in such cases as there is one) with the final determination.

N. In the event that a request for an appeal is denied by the Community Board, an ultimate appeal may be made to the President (or his or her designee) in writing within 10 days of the Community Board's decision. The determination of the President (or his or her designee) is final.

J. Mediation

1. BACKGROUND

Because some conflicts between two or more individuals may be better resolved through mediation, College community members are encouraged to consider mediation as a means of resolving disputes as often as possible.

students' rights and responsibilities (cont.)

2. DEFINITION

Mediation is an avenue by which people in conflict can attempt to state their views, express their feelings, work through their issues, and arrive at a solution that is agreeable to all parties. Mediation is facilitated by impartial mediators who help the parties identify needs and interests in a situation as well as possible solutions for the future. The Judicial Coordinator may refer students involved in judicial matters to the Oberlin College Dialogue Center (OCDC) through the Office of the Ombudsperson.

3. PROCESS

A. Mediation is made available by the Oberlin Campus Dialogue Center through the Ombuds Office when both of the following conditions are met:

- (1) Both parties agree to mediation as the appropriate means for addressing their dispute.
- (2) When the violation is sufficiently minor that it would not likely result in suspension or expulsion, as suggested by precedent.

B. Requests for mediation should be filed with OCDC through the Office of the Ombudsperson.

C. Because the parties must voluntarily enter into mediation, the Ombudsperson will work with the parties to determine their willingness to participate in mediation and to verify that mediation is their choice among the alternatives provided by the College's student disciplinary system.

D. Once the parties have agreed to mediation, the Ombudsperson will assign two mediators agreed upon by the parties to mediate the dispute and set up a date, time, and location for the session(s).

E. The only parties who will be present at the mediation session(s) will be the persons directly involved in the dispute and the mediators. During the mediation process, the mediators will:

- (1) Ask the parties to relate their respective versions of the incident in question, including both factual information and feelings.
- (2) Identify key issues that emerge in the first step and make these known to the parties.
- (3) Seek the agreement of the parties on the issues as they have been identified or as they need to be modified.
- (4) Facilitate discussion between the parties to consider each issue more completely and generate solutions for each.

(5) Work with both parties to develop a written document that will include a statement of agreement on each issue.

(6) Request that participants adhere to ground rules.

F. A statement of agreement shall become a part of the contract drawn up and signed by the parties at the completion of the mediation process. Any activity or behavior that a party has agreed to perform following the mediation shall be included in the contract. Any outcome of mediation must be agreed to by all parties.

G. In cases referred by the Judicial Coordinator, the parties must give permission to have the Judicial Coordinator informed whether or not mediation has resulted in a mutually satisfactory resolution. In cases in which there is NOT a mutually satisfactory resolution, the case may be remanded to the judicial system.

H. If an unsuccessfully mediated case is remanded to the judicial system, no information that has come to light during the mediation process may be used as evidence by either party.

I. A copy of the contract will not be kept by the Ombudsperson and cannot be used for any formal judicial process.

J. If a party is dissatisfied with the mediation process at any stage, prior to the signing of a written agreement, that party may request that the mediation process cease.

K. Because participation in the mediation process is entirely voluntary and the final result is a product of mutual agreement, the individuals participating in the mediation own the outcome.

K. Sanctions

This non-exhaustive list of sanctions should serve to alert students to the range of possible sanctions. A record of all educational interventions and sanctions, including verbal warnings, becomes a part of a student's permanent disciplinary record that is stored in the Office of the Dean of Students for a minimum of seven years.

1. WARNING

A written or verbal (i.e., spoken) admonition may be issued in situations involving minor violations. Though only issued in person, verbal warnings are documented in a student's judicial record.

2. FINES

Fines may be used in cases of damage to the College or personal property. In cases of serious and/or repeated acts of destruction or vandalism, the imposition of fines may likely be combined with other disciplinary penalties.

3. LIMITATIONS ON PARTICIPATION

A student may be barred from participating in campus and/or other College activities. A clear rationale for this decision will be presented by the Board/Judicial Coordinator including an assessment of the impact on the student's educational career.

4. COUNSELING

A student may be required to receive a psychological/psychiatric assessment and to seriously consider any recommendations that may follow from it.

5. CAMPUS/COMMUNITY WORK AND EDUCATIONAL WORKSHOPS

The Judicial Coordinator or Judicial Board can impose particular forms of community work, on or off campus, and a specified number of hours to be worked, and will monitor the student's fulfillment of the requirement. The Judicial Board or Judicial Coordinator may also require attendance at educational workshops or other similar alternatives suitable to the nature of the infraction.

6. RESIDENCE HALL ROOM CHANGE

A student may be required to move to another room or residence hall.

7. RESTITUTION

Compensation for loss, damage, or injury may be required. This may take the form of appropriate service and/or monetary or material replacement.

8. DENIAL OF RESIDENCE ON CAMPUS

A student who violates standards of conduct associated with residential and/or social life at the College or those involving respect for persons, or who is found to have engaged in assault, stalking, or harassment, may be required to vacate his/her residence and denied permission to live on campus, either for a specified time or permanently. In the event that a student is suspended or expelled from a campus residence, he/she will be entitled to a refund only of that portion of the housing bill that is consistent with the established refund policy. Other penalties may be imposed as well, but if this is the only penalty, the student will continue to be enrolled as a degree candidate and will be allowed to attend all academic exercises.

9. PROBATION

A warning in writing which specifies that further infractions of the Code during a student's time at Oberlin will, in most instances, lead to suspension or expulsion from the College. A student on disciplinary probation may be barred from some or all extracurricular activities for a defined period of time. This penalty will become part of a student's permanent disciplinary record and may be disclosed in response to requests for information with the permission of the student. It will not be a part of a student's academic record.

10. DEFERRED PROBATION

A notation on a student's permanent judicial record stating that if all sanctions imposed are not completed satisfactorily and by a specified date, the student will be placed on probation automatically for a period of time determined by a Judicial Coordinator in the Office of the Dean of Students.

11. SUSPENSION

The rights and privileges of being a student at Oberlin College may be suspended for a specific period of time, the minimum of which will be to the end of the current semester. The student must leave the campus and may return at the end of the period of suspension without petitioning for re-admission. The following will normally accompany this sanction:

- A. Parental notification.
- B. Restriction from College property for duration of suspension.

This penalty will be a part of a student's permanent disciplinary record, and the student's academic record and transcript for a specific amount of time to be determined by the Judicial Board. In the event a student leaves the College prior to graduation, the penalty will remain on both the academic and disciplinary records.

Note: "Students who have been suspended and seek reinstatement may not transfer credit for courses taken at other institutions while suspended unless an appropriate office of Oberlin College (e.g. Dean of Studies or the Conservatory Associate Deans) had required or recommended that work be completed elsewhere." Please also see the Course Catalog (online at <http://catalog.oberlin.edu/content.php?catoid=154#susp>.)

ANY RECOMMENDATION FOR SUSPENSION MUST BE APPROVED BY THE COMMUNITY BOARD.

students' rights and responsibilities (cont.)

12. DEFERRED SUSPENSION

A notation in the student's permanent judicial record stating that if all sanctions imposed by a Community Board are not completed satisfactorily and by a specified date the student will be placed on suspension automatically for a period of time pre-determined by the Community Board that heard the case.

13. WITHHOLDING OF DEGREE

In disciplinary cases involving second-semester seniors when probation or suspension might otherwise be imposed, the College may withhold the student's Oberlin College degree for a specified period of time. When this occurs, the student may be permitted to remain on campus to complete the requirements for the degree, although its award will be delayed. Any recommendation for withholding a degree must be approved by the Community Board.

14. EXPULSION

This means the permanent termination of student and degree-candidate status at Oberlin College. It may be imposed only in the most serious of cases, or when a student has been suspended previously and commits another offense judged to be worthy of a second suspension. This penalty will permanently remain on a student's academic record.

ANY RECOMMENDATION FOR EXPULSION MUST BE APPROVED BY THE COMMUNITY BOARD.

A Note About the Release of Information Pertaining to Disciplinary Records

The Office of the Dean of Students will only release information regarding a current or former student's disciplinary record to third parties (including, but not limited to law schools, medical schools, and military branches) after receiving a written request from that individual and a signed waiver for the third party. As a rule, the College only reports information pertaining to cases that have resulted in probation, suspension or expulsion alone or in combination with other lesser sanctions.

Current and former students desiring the Office of the Dean of Students to report disciplinary history that it does not customarily report (such as cases that resulted in deferred probation, deferred suspension, or other lesser sanctions not combined with probation, suspension, or expulsion) may authorize the office to share such information by making a specific written request. Individuals wishing to speak with someone about a Dean's Letter or Dean's Certification, may contact the Office of the Dean of Students at (440) 775-8462.

L. Revisions and Modifications

The judicial system will be reviewed every other year by the Judicial Coordinator and a sub-committee of the Judicial and Community Boards. Changes to this document will be approved by the Student Life Committee (SLC) and the General Faculty.

Copies of the *Oberlin College Student Code of Conduct and the Judicial System Charter* are available online and in the Dean of Students Office.

V. Social Conduct and Regulations

A. Statement of Social Responsibility

The following statement was adopted by the Student Senate on October 2, 1966, and remains in effect.

We, the students of Oberlin College, recognize that social responsibility inheres with membership in the College community. Because we have the right to establish our own rules, each student will create and adhere to a set of individual values consistent with the rights of other members of the community. Collectively, we will establish a framework of rules that leaves a wide area of free choice, while building a tradition of respect for responsible behavior. Individually, we commit ourselves to govern our actions within this framework, not only by our own personal needs and desires, but also by a concern for the welfare of others. A social system that encourages individual choice and responsibility goes hand in hand with the fostering of intellectual freedom and academic excellence. We value highly that freedom which is rooted in the willingness to enforce and administer our own rules, and in the willingness of all students to cooperate with the entire community. We believe that not only the ability to make decisions, but also the development of a respect for the decisions of others is essential to the education process and the working of a viable community.

B. Faculty Statement on Freedom of Speech and Expression

The following resolution was adopted by the General Faculty on May 20, 1986, and remains in effect.

The General Faculty has observed with grave concern recent incidents at Oberlin College in which members of the College have appeared to interfere with the efforts of other members and guests of the College to freely express their views. The General Faculty urges aggrieved persons or groups to make use of established judicial procedures to resolve specific instances in which rights may have been violated. Oberlin College, in its traditions and as an academic institution, is

devoted to free and open inquiry. Therefore, it is important that freedom of speech and freedom of expression be guaranteed to individuals and groups to express whatever views they wish, so long as they do not interfere with the rights of others. The General Faculty therefore calls upon all members of the College community to join in the assertion of this tradition of academic and civic freedom and to continue to foster a climate in which it is cherished.

C. General Posting Policy

Approved by General Faculty in April 2003

Advertisements are an important means of communication among the members of the Oberlin College community. Compliance with this Posting Policy will ensure that advertisements are not removed and that individuals and groups take responsibility for their words. This policy applies to Oberlin College community members, whether as individuals or as members of College departments, offices, or organizations. Those not affiliated with Oberlin College do not automatically have the right to use College spaces for the display of posters or flyers. The posting of notices on campus does not necessarily represent endorsement or sponsorship by the College.

The Office of Safety and Security, representatives of the Student Life staff or the Grounds Department, or designated building representatives will remove postings that are in violation of the following regulations. Postings on non-dedicated (i.e., non-departmental, non-organizational) bulletin boards that comply with the following regulations must not be removed until a reasonable amount of time has elapsed, nor should they be defaced.

1. POSTING REGULATIONS

A. Posted materials must be in compliance with the posting regulations of Oberlin College listed below as well as general Oberlin policies. Please remember to be courteous to others' posting privileges.

- (1) Posters that compromise the safety of others (for example, obscuring windows and doors) **are not permitted**.
- (2) Posting on emergency phones/equipment, or on vehicles in parking lots, **is prohibited**.
- (3) All informational materials intended for public viewing must have the sponsoring department, student organization, College committee or individual name clearly displayed. This includes: flyers, posters, table tents, etc. In accordance with the Student Bill of Rights, "members of the College are expected to take responsibility for their expressions; anonymous expressions are inimical to the free and open exchange of ideas."

(4) Except for posters/flyers placed on identified departmental, office or organizational bulletin boards, those posters/flyers from entities outside the College must bear the clearly labeled sponsorship of a College office, department, organization, or individual.

(5) Individuals **must** be aware of the potential consequences – for themselves and for others – of advertising events that violate College policy or state and local laws. [Examples include the serving of alcohol to minors and cash bars.]

(6) The College's Party Policy places additional restrictions around advertising that mentions the serving of alcoholic beverages. Students must be acquainted with the relevant language in the Student Handbook under the heading "Residence Hall Party Planning."

(7) Some campus buildings (such as Mudd Library and Wilder Hall) have more restrictive regulations on postings. Contact the administrator in charge of each building for specific guidelines.

(8) Bulletin boards dedicated to a specific department or organization may be used only with their permission. Departments and organizations should consider using a stamp or similar device to indicate approval or endorsement of posted material.

(9) Chalking is permitted on concrete outdoor sidewalks only. Chalking is not permitted on any vertical surfaces, buildings, walls, or on any surfaces that are bricked or tiled. Areas of sidewalks that are on a porch or under an overhang should not be used for chalking. Only water-soluble chalk may be used to ensure that removal will be done naturally by weather and wear. Although individuals are encouraged to take responsibility for their statements, chalking need not conform to posting regulation #3 (above).

(10) These policies apply to College property only; students and others are reminded that different policies apply on other Oberlin city property.

2. ADDITIONAL RECOMMENDATIONS

A. All members of the Oberlin College community are urged to abide by the following guidelines in order to ensure that information is most effectively transmitted:

- (1) Do not post printed materials advertising events earlier than two weeks prior to the event.
- (2) Do not advertise for events until the venue for the event is confirmed.

students' rights and responsibilities (cont.)

(3) All sponsors need to be mindful that the College is open to members of the Oberlin town community. Members of the College community should consider the placement and timing of posters and their effect on workplace environments and town residents (including children) whose values may be different from their own.

(4) Do not attach posters to surfaces (such as painted surfaces, wood, or glass) that may be damaged by tape, glue, staples, tacks, etc.

(5) Remove posters when the advertised event is over, or after they have been posted for two weeks.

(6) To help ensure that posters remain in place for two weeks, they should bear the date on which they are first posted.

(7) Members of the College community should be mindful of the fact that taping flyers to sidewalks creates significant additional work for college workers and compromises the environment.

B. Bulletin Boards

Individuals are encouraged to use bulletin boards in a responsible manner. Although individuals and organizations are responsible for making their own decisions about the use of posters and flyers, they should consider the following:

(1) The use of designated public bulletin boards is strongly encouraged.

(2) Pushpins or staples should be used on bulletin boards. To avoid possible puncture of wheelchair/bicycle tires, please do not use thumbtacks or staple guns. Masking tape and/or sticky-tack putty are preferred types of adhesives. Duct, gaffers, packing, or scotch tape should not be used (it is very difficult to remove and causes damage to surfaces).

(3) No more than one posting for the same event or issue should be placed on a single bulletin board. Avoid posting on top of other material.

3. ALTERNATIVE SOURCES OF ADVERTISING (SAVE PAPER)

A. Newspaper ads.

B. Painting a rock in Tappan Square (etiquette suggests that you don't paint over an event that has not yet occurred).

C. Radio (WOBC and other local stations).

D. Outside banner on Wilder porch (must be scheduled in Student Union Office).

E. Inside banner (primarily Wilder lobby).

F. Press Releases (campus and off-campus publications).

G. Information tables in Wilder Bowl (must be scheduled in Student Union Office).

H. Electronic events calendar, Oberlin Online.

D. Faculty Statement on Social and Political Unrest

The following statement was adopted by the General Faculty on February 27, 1968, and remains in effect.

The form and nature of protests and other social and political actions should not obstruct other persons in the exercise of their rights as members or guests of the academic community or in the conduct of their business in a normal manner. Acts of social and political protest must not disrupt the essential operations of the College and should not violate standards of civility and respect important to the achievement of the College's educational purposes.

Because definitions of the limits of acceptable actions cannot be free of ambiguity, and because clarity about the limits and about the penalties that may be incurred for violation of the limits is desirable, the following procedures are established:

A. A person or persons sponsoring a demonstration or similar action may obtain an advisory opinion from the Office of the Dean of Students as to the permissibility of the planned action and as to the possible penalties which the Office of the Dean of Students might impose or recommend if an impermissible action is carried out. If the Office of the Dean of Students rules that a planned action is not permissible, an effort to compromise should be made, in cooperation with the Committee on Student Life Committee.

B. If an action is carried out that has been ruled impermissible in accordance with paragraph 1 above, or that has become disruptive in the judgment of the Office of the Dean of Students, the said Office of the Dean of Students, or appropriate representative, will warn the participating students to desist, inform them of the possible consequences of refusal to desist, and allow the participants a reasonable amount of time to desist. The same procedure will be followed when the advice of the Office of the Dean of Students has not been sought.

E. Faculty Statement of Policy on Student Demonstrations

The following statement was adopted by the General Faculty on December 17, 1991.

1. FREEDOM OF SPEECH AT OBERLIN/AFFIRMATION OF INDIVIDUAL RIGHTS

On May 20, 1986, the General Faculty adopted a resolution on freedom of speech and expression that remains in effect today. It urges aggrieved persons or groups to make use of established judicial procedures to resolve specific instances in which rights may have been violated and affirms that freedom of speech and freedom of expression be guaranteed to individuals and groups to express whatever views they wish, so long as they do not interfere with the rights of others. The resolution calls upon all members of the College community to continue to foster a climate in which this tradition of academic and civic freedom is both cherished and asserted.

Within this context, Oberlin College emphatically affirms the right of all its members to protest and demonstrate. Both civil authority and College regulations reflect the obligation to balance rights of free speech and expression against such other rights as privacy and normal conduct of business. Thus, College procedures consider as inappropriate any actions that intrude upon the rights of other members of the community, including reasonable expectations of peace and privacy, and tactics or behavior that include coercion, intimidation, or harassment. Additionally, obstruction of the normal conduct of business of the College, or of members or guests of the community are considered inappropriate.

2. OBERLIN COLLEGE POLICIES AND PROCEDURES FOR PROTESTS AND DEMONSTRATION

a. Existing Authority

The College recognizes that the legal authority of the Oberlin City Police to enforce laws according to their best judgment extends to all areas of the City of Oberlin, including the Oberlin College campus, and that this authority will not in any way be restricted by College policies and procedures. Additionally, the College reserves the right to invoke its own judicial procedures in response to incidents that may occur at student protests and demonstrations, whether on or off campus.

b. Role of Students

Students enrolled at Oberlin College are subject to the laws of the City of Oberlin, the State of Ohio, and the United States. Students who plan demonstrations or participate in protest activities should be aware of the applicable civil laws and regulations in addition to College regulations that govern their conduct. Consistent with the "Faculty Statement on Social and

Political Unrest" that was adopted on February 27, 1968, students are encouraged to consult with the Office of the Dean of Students prior to sponsoring a demonstration, protest, or other activity where First Amendment rights are exercised, whether on or off the central campus. The purpose of such consultation is to obtain an advisory opinion as to the suitability of the planned action and as to the possible penalties that might be imposed or recommended if an unsuitable action is carried out. Such consultation may also reduce the chance that students might place themselves at risk by unknowingly violating College regulations or civil laws and regulations. The College recognizes that students may choose to participate in spontaneous demonstrations and that prior notification from students therefore may not occur. Whether the advice of the Office of the Dean of Students has or has not been sought, students participating in a protest or demonstration should be prepared to assume the consequences of their behavior.

Students are also encouraged to communicate openly and actively with faculty and administrators who they feel can assist them in developing effective strategies for attempting to bring about institutional change.

c. Role of College Officials

Professional staff in the Office of the Dean of Students and those College officials who hold broad responsibility for institutional policy are expected to maintain active and open channels of communication with students and to advise them on the most effective strategies for attempting to bring about institutional change. In the interest of student safety and the protection of student rights, College officials and other members of the community who learn about demonstrations and protests, whether on or off campus, are encouraged to notify the Office of the Dean of Students immediately. In the event of student demonstrations, both on and off campus, the Office of the Dean of Students or an authorized designee from that office will serve as the responsible official and spokesperson at the scene for the College. When the Office of the Dean of Students is unavailable, the authorized designated representative of that office will be one of the following, listed in order of authority:

- Associate Dean of Community Life.
- Associate Dean of Students/Judicial Coordinator for Non-Traditional Housing and Non-Residential Areas.
- Associate Dean of Student Life/Judicial Coordinator for Traditional Housing.
- Associate Dean of Students/Director of the Multicultural Resource Center.
- Associate Dean of Students/Director of Residential Education.

students' rights and responsibilities (cont.)

This person will have responsibility to oversee normal College procedures for student demonstrations, to decide whether and when to call in civil authorities to campus, to act in an advisory capacity to students and police for off-campus demonstrations, and to speak on behalf of the College administration at the scene of any student demonstration. When appropriate, the Office of the Dean of Students (or its authorized representative) will notify the Oberlin Police Department of student demonstrations.

d. Role of Campus Security

Campus security officials act under the authority and at the request of the Office of the Dean of Students in situations involving student protests and demonstrations. In an emergency, until a representative from the Office of the Dean of Students arrives, Campus Security will follow procedures worked out in advance with the Office of the Dean of Students that are intended to provide for the safety of persons and the protection of property from serious damage. These procedures include the following measures:

- (1) Ensure that the Director of Safety and Security and the Dean of Students, or a representative, have been notified.
- (2) Observe the activity from an appropriate location to determine the extent of the protest.
- (3) Maintain a visible but neutral presence until the arrival of the Director of Safety and Security and/or the Dean of Students, or a representative of that office.
- (4) Safety and Security officers shall not undertake any enforcement measures or active enforcement stance unless necessary to prevent physical violence to any person, physical conflict between any persons or groups of persons, or serious damage or vandalism to buildings, physical facilities, or their contents. Security officers shall not employ electronic surveillance techniques, nor photograph persons at the scene of any protest.
- (5) Enforcement measures related to the protection of property shall be limited to actions necessary to prevent serious damage or vandalism to buildings, physical facilities, or their contents.

e. Role of City Police

The legal authority of the Oberlin City Police extends to all areas of the city, including the campus. Police authority is not restricted by College policies and procedures for handling student demonstrations. Nevertheless, the Oberlin Police Department normally will not interfere with any student demonstration conducted on and confined to the central campus, unless the laws of the city or state are being violated, a complaint is filed by a citizen, or the behavior of the

protest's participants suggest a risk of physical harm to persons or serious property damage. Property considered by the College to be part of the central campus includes all administrative offices, academic buildings, student residence and dining halls, libraries, Hall Auditorium, the Art Museum, gymnasiums, and the grounds around them.

Student demonstrations that originate on the central campus and expand onto the public streets or the public right-of-way may be monitored by the city police. The College recognizes that the city police have authority to enforce laws according to their best judgment, and without consultation with College officials. It is urged, however, that before taking action at any student demonstration, the civil authorities would communicate with the responsible College official who would normally be expected to be present at the scene. The purpose of this communication is to allow, when possible, the Dean of Students (or his/her authorized representative) an opportunity to ameliorate the situation.

f. Demonstrations on the Central Campus

College authority and procedures for handling demonstrations on the central campus fall under the auspices of the Office of the Dean of Students. The Dean (or his/her authorized representative) may summon civil authorities to the campus on behalf of the College and request appropriate action should circumstances warrant such a response.

Standard procedures for College response to central campus demonstrations call for the Dean of Students or an authorized representative, whenever he or she learns of a demonstration, to make every effort to be present at the demonstration and to serve as the responsible College official at the scene. This person, in addition to monitoring the demonstration, will judge the need for College disciplinary action or for the intervention of civil authorities when circumstances warrant. Before initiating College disciplinary action or invoking civil intervention in central campus demonstrations, the authorized College official will typically take the following course of action:

- (1) Attempt to gain an understanding of the demonstrators' grievances, and come to some resolution if possible and appropriate.
- (2) Attempt to notify protesting students about what actions are considered unacceptable and warn them of the consequences if they persist.
- (3) Allow a reasonable time for demonstrators to respond before establishing identification of students liable to College judicial procedure or requesting civil intervention in the case of central campus demonstrations.

(4) If the behavior of the protest participants indicates an atmosphere of provocation or physical confrontation that is likely to cause a high risk of harm to persons or property, or, if the situation is judged as an emergency state such that the existing time will not allow the implementation of the normal procedures presented above, it shall be the responsibility of the Dean or authorized representative to formulate and embark upon an appropriate plan of action that is intended to secure the safety of persons and property. Normally, the College will request the appropriate civil authorities to take action only in cases of fire, extensive damage, physical injury to persons, or in some instances, when persons not affiliated with the College are demonstrating.

g. Off-Campus Demonstrations

Student demonstrations that occur off the Oberlin College central campus fall under the jurisdiction of civil authorities and their judgment in enforcing the law. When aware in advance of such demonstrations in Oberlin, the Dean of Students (or his/her authorized representative) will notify the city police and remain available at the scene in an advisory role, and will invoke College judicial procedures if warranted. College charges against students will be at the discretion of the Office of the Dean of Students. The Dean's discretion in such cases would necessarily be informed and guided by consideration of whether the students' behavior poses a threat to College persons or property, or violates College regulations. College-owned homes rented by College employees, College-owned properties rented to persons not affiliated with the College, private homes owned by College officials, and nonresidential College-owned properties that are not used for official College functions (such as the Arboretum) are not considered by the College as part of the central campus. Students planning to participate in off-campus demonstrations are urged to be aware that the final authority on what is legally permissible in the City of Oberlin is the Oberlin City Chief of Police. Students should be aware that some protest actions away from the central campus, such as impeding rights-of-way on city streets during a march, may require that they apply in advance for a permit from City Hall.

h. Special Cases

(1) The President's House, 154 Forest Street

The College recognizes that the President's home (154 Forest Street) is College-owned property at which official College functions may occur. The President's home is also regarded by many students as a symbol of the College and its administration. Therefore, the President's lawn at 154 Forest Street may, on occasion, be the locus of student protests. When the Office of the Dean of Students learns in advance of demonstrations at

this site, the College will treat such protests procedurally as central campus demonstrations. The City of Oberlin defines the residence at 154 Forest Street as private property in a residential neighborhood. Accordingly, the Oberlin Police Department shall respond to incidents at this site and take needed actions according to the best judgment of the duty officer in charge, pursuant to city police policies. The College urges but cannot guarantee that police action would be taken only after communicating with the responsible College official at the scene (see Section 4 below). Students involved in demonstrations at the President's house are urged to consider with care their actions within the context of time, place, and manner (see Section 5 below).

(2) The Oberlin College Inn

The Oberlin College Inn is also College-owned property at which official College functions occur. Therefore, it may, on occasion, be the locus of student demonstrations. When the Office of the Dean of Students learns in advance of demonstrations at this site, the College will treat such protests procedurally as central campus demonstrations. Therefore, the manager of the Oberlin College Inn or his/her representative is urged to notify the Office of the Dean of Students if a student demonstration occurs at the Inn. If the Dean or his/her representative cannot be reached, the Inn manager should contact campus security, in which case Campus Security will be responsible for contacting a representative of the Office of the Dean of Students.

Because the Oberlin College Inn is a commercial business accessible to the public, it is defined by the City of Oberlin as public property. As a commercial business open to the public, demonstrations at the Oberlin College Inn should not interfere with normal business, including restaurant service, privacy of guests, conferences and meetings, and public access via lobby, driveways, and parking lots. Regarding potential divergence between College and City authorities, see "Note to Students" (Section 4) below.

(3) Tappan Square

A court decision has found Tappan Square to be in the city domain and subject to normal city police procedures because it has open access for all citizens. At the same time, Tappan Square is also College-owned property and the site of official College functions such as Commencement. Therefore, it may, on occasion, be the locus of student demonstrations. When the Office of the Dean of Students learns in advance of demonstrations on Tappan Square, such demonstrations will be treated procedurally by the College as central campus demonstrations. Again, the College urges that police action would be taken only after communication with the responsible College official at the scene (see Section 4 below).

students' rights and responsibilities (cont.)

(4) Note to Students

Persons involved in demonstrations at the above-referenced sites are urged to consider with care their actions within the context of time, place and manner (see Section 5 below) as well as within the context of the primary authority of the Oberlin City Police. The College will attempt to treat protests at these sites procedurally as central campus demonstrations and will urge that police action be taken only after communicating with the responsible College official at the scene. Nevertheless, students should recognize that the police have the authority to respond to complaints at these sites according to their judgment at the scene and without regard to consultation with College officials.

(5) Time, Place, and Manner

The Oberlin College community emphatically affirms the right of all its members to speak out and demonstrate. Restraints regarding time, place, and manner reflect the need to balance the rights of free speech against such other rights as privacy and the normal conduct of business.

Thus, students involved in planning or carrying out demonstrations should bear in mind the following guidelines:

- Actions that intrude upon the rights of other members of the Oberlin College or town community, including reasonable expectations of peace and privacy, will be considered inappropriate.
- Obstruction of the normal conduct of business of members or guests of the community and disruptions of the essential operations of the College will be considered inappropriate.
- Tactics or behavior that include coercion, intimidation, or harassment will be considered inappropriate.

It is important to note that these guidelines describe general procedures. Their application to any specific demonstration shall be governed by the particular situational context. For example, considerations related to time, place and manner would normally be expected to inform and guide judgments about what is considered acceptable and unacceptable behavior. Unambiguous definitions of what is acceptable behavior in all cases cannot be provided. Similarly, unambiguous statements about the implementation of these guidelines in all cases cannot be provided. For example, what is considered acceptable noise in a residential neighborhood during the day may become unacceptable after 10:00 p.m. What is considered to be acceptable expression of free speech at the Oberlin Inn if no patrons are disturbed by it would become unacceptable if it intruded upon

the rights of the public. It is incumbent, therefore, on all members of the College community to be aware of applicable state, local, and federal laws in addition to College regulations that govern their conduct. Oberlin College will cooperate as required by law with civil authorities; the College cannot protect members of its community from prosecution under federal, state or local laws. Within this context, the College seeks to foster a sense of community in a climate of "civility." That is, it seeks to create an environment where free and open expression can take place without intimidation or interference with the rights of others.

F. Guidelines for Meetings Involving Speakers, Films, and Other Forms of Artistic Expression

The General Faculty Council adopted the following policy on November 3, 1989 for application to student-sponsored events. On November 13, 2001 the GFC extended the jurisdiction of this policy to include all relevant campus events. The final version was adopted by the General Faculty on December 3, 2002.

1. COMMITMENT AND RESPONSIBILITIES OF OBERLIN COLLEGE

Oberlin College is committed to maintaining an environment where open, vigorous debate and speech can occur. This commitment entails encouraging and assisting organizations that want to sponsor speakers, films, and other forms of expression as well as informing students who seek guidance concerning forms of protest against speakers. It may also involve paying for extraordinary security measures in connection with a controversial speaker. Consistent with these obligations, the General Faculty Council promulgates these guidelines, which are intended to be content-neutral.

2. APPLICATION OF GUIDELINES

These guidelines apply to all meetings held at the College to which speakers are invited, films are shown, or other forms of artistic expression are part of the program.

3. MEETINGS TO BE DESIGNATED AS OPEN OR CLOSED

- A. A meeting to which a speaker is invited, a film is being shown, or at which there is some form of artistic expression may be designated "open" or "closed." In either case, incidental College facilities such as room and utilities may be used.
- B. The press may be invited to either open or closed meetings.
- C. If an organization or group uses College funds, including student activity fee funds, for costs other than incidentals, the meeting must be designated and treated as open. The cost of the use

of room and utilities is considered “incidental.” All other expenses are not considered incidental, e.g., a speaker’s expenses, an honorarium, and refreshments. These expenses may be covered by the student activity fee or other College funds only if the meeting is open. (This requirement does not apply to meetings for which College funds have been authorized to finance a training event carried on by a chartered organization or College office.)

D. Closed Meetings

- (1) A closed meeting may be limited to membership in the organization, or by invitation to designated persons or groups, but cannot be closed on the basis of any category that is, or that is a pretext for, discrimination in violation of the College’s published anti-discrimination policies.
- (2) To the extent that a closed meeting is publicly advertised, there must be clear disclosure that the meeting is closed.

E. Open Meetings

- (1) A meeting is considered open even though the sponsoring organization limits the audience to members of the College community or to portions thereof (e.g., first-year students) unrelated to the sponsoring organization.
- (2) At an open meeting, up to one-third of the seats may be reserved for guests of the sponsoring organization.
- (3) Adequate and timely notice – in *The Oberlin Review*, via posters or flyers, on a College Web site, or similar advertising – must be given for an open meeting.

4. IDENTIFICATION

A. According to College regulations, students must show and/or surrender their I.D. card when requested to do so by an appropriate College officer. Other attendees may be required to produce identification, so long as

- (1) Advance notice is given as to what specific types of ID will be required.
- (2) Identification procedures are enforced consistently and uniformly.

B. When required for an open meeting, identification or press credentials, should be checked by an official perceived to be neutral (e.g., an administrator or a designated general student monitor), not by a member of the sponsoring organization or by any person perceived as partisan.

5. DISSENT/PROTEST

a. General Principles

The right to dissent is the complement of the right to speak, but these rights need not occupy the same forum at the same time. The speaker is entitled to communicate his or her message to the audience during his or her allotted time, and the audience is entitled to hear the message and see the speaker during that time. The dissenter must not substantially interfere with the speaker’s ability to communicate or the audience’s ability to hear and see the speaker.

When a meeting is closed, dissent by non-attendees is limited to activity outside the meeting that does not impede access to the meeting or substantially interfere with the communication inside. When a meeting is open, the acceptable form of dissent will depend on whether the dissenter is inside or outside the meeting, and on whether the dissenter is acting before, after, or during the meeting.

b. Some Examples of Dissent

The following guidelines, which are neither comprehensive nor absolute, suggest the limits of acceptable dissent. As spelled out in the Faculty Statement on Social and Political Unrest (Students’ Rights and Responsibilities Section V., D.), “A person or persons sponsoring a demonstration or similar action may obtain an advisory opinion from the Dean of Students.”

- (1) **Picketing, literature.** Picketing in an orderly way or distributing literature outside the meeting is acceptable and must not be interfered with unless it impedes access to the meeting. Distributing literature inside an open meeting is acceptable and must not be interfered with before a meeting is called to order and after the meeting is adjourned.
- (2) **Silent or symbolic protest.** Displaying a sign (signs may not be mounted on poles when displayed indoors), wearing expressive clothing, gesturing, standing, or otherwise protesting noiselessly is acceptable and must not be interfered with, unless the protest interferes with the audience’s view or prevents the audience from paying attention to the speaker. Any use of signs, prolonged standing, or other activity likely to block the view of anyone in the audience should be confined to the back of the room. Security may confiscate signs and posters that interfere with the audience’s view; signs and posters must be returned on request immediately following the event.
- (3) **Noise.** Responding vocally to the speaker, spontaneously and temporarily, is generally acceptable. Chanting, coughing, or making other sustained or repeated noise in a manner

students' rights and responsibilities (cont.)

which substantially interferes with the speaker's communication is not permitted, whether inside or outside the meeting.

(4) **Force or violence.** Using or threatening force or violence, such as defacing a sign or assaulting a speaker or a member of the audience, is never permitted. Any interference with freedom of movement or with freedom from personal force and violence is a serious violation of personal rights.

c. The Audience's Responsibility

The audience, like the host and the speaker, must respect the right to dissent. A member of the audience or the host organization who substantially interferes with acceptable dissent is violating these guidelines in the same way as a dissenter who violates the rights of the speaker or audience.

d. Question and Answer Period in Open Meetings

In any open meeting the sponsoring organization may arrange with the speaker to assure a reasonable opportunity for a question and answer period.

6. SECURITY

A. The Dean of Students (or in his or her absence the Provost or the President of the College) shall determine, either on his/her own initiative or after hearing from student organizations or groups, whether the protection of free speech at an open meeting requires security measures.

B. Upon making the determination that security measures are required, the Director of Security, acting in consultation with the Dean of Students, will have and will exercise the responsibility to determine the nature and extent of security measures required. The College will fund these measures. They may include, but are not limited to, the following:

- (1) Bags and other containers may be subject to search only by the Security staff and their delegates. Security can require that they be put in a checkroom before entering the event.
- (2) Security may require that coats or outerwear be put in a checkroom before entrance.
- (3) Videotaping of the event for security purposes may be done, with notice to the audience. Videotapes will be erased after the statutory time for filing charges has expired or after a final appeal has been handed down. Videotapes may be used only if charges are filed and only as evidence in a judicial hearing.

C. When a meeting is closed, the sponsoring organization, in consultation with the Dean of Students (or designee) will ordinarily be responsible for planning, obtaining, and funding its own security from or through the Office of Safety and Security.

7. USE OF A MODERATOR/FACILITATOR

a. Determination of Need

The Dean of Students (or designee) may determine that the protection of free speech at an open meeting requires the use of a Moderator/Facilitator. If so, the meeting shall be held with a Moderator/Facilitator.

b. Selection

The Moderator/Facilitator will be selected by the Dean of Students (or his/her designee) after making every reasonable effort to consult with the Chair of the Student Life Committee, the sponsoring organization, and any others whose advice the Dean might find useful. The person selected shall be perceived to be neutral and non-partisan. He/she will generally be a member of the College faculty or administration.

c. Role

The Moderator/Facilitator should make clear at the meeting that his/her role reflects no position for or against the views of the speaker or sponsoring organization.

At the event, final decisions regarding balancing the rights of the speaker with the rights of those who disagree will be made by the Moderator/Facilitator.

These decisions include, but are not limited to:

- (1) Whether to require a disrupter to leave the room and seek the assistance of College security to escort the disrupter from the room.
- (2) Whether to suspend an event temporarily if disruption occurs.
- (3) Whether to move an event because of disruption or security.
- (4) Whether to cancel an event because of security concerns.
- (5) If an event must be cancelled by a special Moderator/Facilitator before the program has been fully executed, those responsible for the cancellation may be fully or partially liable for covering the costs of the event as determined by the Community Board.

8. SANCTIONS

Violation of the free speech rights of any person, as protected in these guidelines, will be treated seriously. Violators, whether or not they are members of the Oberlin community, will be subject to the following sanctions:

- A.** Expulsion from the meeting or event.
- B.** Arrest or other legal action.

C. For students, disciplinary proceedings before the Community Board, which may impose any of the following sanctions:

- (1) Warning.
- (2) Written reprimand.
- (3) Suspension.
- (4) Expulsion.

Pursuant to existing procedures, these Board sanctions may be noted on the student's transcript.

D. A referral will be made to the appropriate faculty committees or College officers or other members of the College community.

9. QUESTIONS OF INTERPRETATION

All questions of interpretation and application of these guidelines shall be decided by the Dean of Students (or his/her designee) after consultation, as needed.

10. OTHER RESPONSIBILITIES

The General Faculty Council (or designee) is responsible for:

- A. Offering advice to the administration concerning the further development and the enforcement of these guidelines through content-neutral policies related to time, place, and manner.
- B. Reviewing of the effectiveness of these guidelines and offering proposals for change.

The General Faculty Council recommends that the Dean of Students and the Director of Safety and Security adopt the relevant portions of these guidelines for public events sponsored by the College or by departments.

G. Faculty Statement on Intrusion of Unauthorized Persons into Private Offices

The following resolution was adopted by the General Faculty Council on April 10, 1987 to clarify the College's stance on the intrusion of unauthorized persons into private offices.

The General Faculty Council views with grave concern the intrusion by unauthorized persons into private offices containing sensitive materials. Such intrusion can result in the exposure of confidential information to possible violation and abuse and can constitute serious violations of individuals' rights to privacy.

H. Faculty Statement on Racial Abuse and Harassment

The following statement was adopted by the General Faculty in May of 1987, and remains in effect.

INTRODUCTION

Oberlin College is committed to offering all its students the opportunity to pursue academic excellence. The College seeks to encourage an atmosphere in which all persons have an equal opportunity for participation in this pursuit, whether this is in group settings or in close relationships between individual students and faculty members. The College, further, condemns covert or overt acts that interfere with these expressed goals. Therefore, any form of intimidation, abuse or harassment based on race, ethnic origin, creed, gender, or sexual orientation is contrary to the ideals of Oberlin College.

Oberlin College deplors incidents of prejudice or racial discrimination wherever they may occur – for example, between faculty and staff members, senior faculty and junior faculty members, one student and another, or supervisors and employees. The College is especially mindful of its obligation to maintain optimal learning opportunities for its students. Racial slurs, whether overt or covert, may directly or indirectly have a negative impact on students' abilities to learn. Discrimination not only may have undesirable educational and psychological consequences; it is also against the law.

1. DEFINITION

Racial harassment in the academic setting is behavior that calls attention to the racial identity of persons in a manner that prevents or impairs their full enjoyment of educational or occupational benefits or opportunities. What is often at issue is not discrimination per se, but unconscious intimidation, coercion, or abuse of power. No matter how carefully worded a definition of racial harassment might be, unforeseen situations may arise which cannot easily be included in any definition. Racial harassment may include incidents that limit the full realization of open, creative pluralism on campus.

2. INFORMAL GRIEVANCE PROCEDURE

a. Purpose and Scope

Experience suggests that many grievances of this nature can be satisfactorily resolved without resort to a formal investigation if the institution provides ready access to an appropriate informal process whose legitimacy is generally acknowledged.

The following informal grievance procedure provides for an appointed group of informed persons to whom students and other members of the College community may come with inquiries, concerns, or complaints when they wish to receive counsel, information, and/or

students' rights and responsibilities (cont.)

mediation. When there is mediation, there should be a concern for the comfort and safety of every party involved in the process.

- (1) The grievant should have peer support from a committee member.
- (2) The alleged injuring party should have peer support from a committee member.
- (3) All parties must agree to enter the process. (There is a formal process that does not demand consent.)
- (4) It needs to be understood that this process is not one that will lead to punishment; instead, the goal is increased understanding and transformed behavior.
- (5) All proceedings and resolutions will be confidential. No information will be made public without the approval of all parties.
- (6) There should be a reasonable timetable for this procedure so that it does not drag on in an unhelpful manner.

b. Composition of the Committee

- (1) Members of this committee will be appointed by the President of the College after consultation with interested parties. The committee shall consist of at least five members. Any individual or group may suggest names of persons who might be especially helpful as committee members.
- (2) Members shall be chosen for their sensitivity, discretion, and skill in mediation. Those appointed should be people known to be approachable by faculty, students and staff; some should already have familiarity with points of law and procedures that relate to the issue of racial harassment. Members shall avail themselves of training in race awareness, mediation, and negotiation.
- (3) Since the informal procedure is meant to serve all members of the campus community, it is important that committee membership be as broadly based as possible. There shall be faculty, staff, and student members serving on this committee.
- (4) Faculty and staff will be appointed for staggered two-year terms, with the possibility of reappointment; student members will be appointed for one year, with the possibility of reappointment.
- (5) Members will elect a chair who will serve for two years. The initial appointment of the chair may be made by the President of the College.
- (6) The Affirmative Action Officer shall serve as a consultant to this committee.

- (7) The names of committee members will be widely published – for example, listed in student handbooks and in memoranda to the faculty, staff and administration. Information about the Committee will be included in Orientation programs for students, faculty and staff members, and administration.

I. Faculty Statement on Discriminatory Harassment

The following statement was adopted by the General Faculty on April 18, 1989 and remains in effect today.

Central to the College's philosophy and to its responsibility as an academic institution are its devotion to free and open inquiry and its respect for diversity of opinion. Freedom of speech and freedom of expression are guaranteed to individuals and groups to express whatever views they wish, so long as they do not interfere with the rights of others. The College is also mindful of its obligation to protect the dignity, safety, and self-respect of all members of its community and seeks to encourage an atmosphere in which all persons have an equal opportunity for participation in the pursuit of excellence. Therefore, any form of intimidation, abuse, or harassment based on race, ethnic origin, religion, creed, political persuasion, handicap, gender, or sexual orientation is contrary to the ideals of Oberlin College. Perpetrators of such behavior can be subject to appropriate College adjudication processes, leading potentially to disciplinary action.

The following definition of non-discrimination is taken from page 5 of the Oberlin College Affirmative Action Plan.

“NON-DISCRIMINATION MEANS ADMINISTERING PROGRAMS AND TREATING ALL PERSONS WITHOUT REGARD TO RACE, COLOR, NATIONAL ORIGIN, RELIGION, CREED, AGE, SEX, SEXUAL ORIENTATION, MARITAL STATUS, FAMILY RELATIONSHIP TO AN EMPLOYEE OF OBERLIN COLLEGE, HANDICAPS OR VETERAN STATUS, EXCEPT WHERE SUCH A DISTINCTION IS REQUIRED BY LAW OR PROVED TO BE A BONA FIDE OCCUPATIONAL QUALIFICATION.”

Individuals have been appointed by the College to coordinate Oberlin College's efforts to comply with various pieces of federal legislation; these include Title VI and VII of the Civil Rights Act as amended in 1972; Title IX of the Education Amendments Act of 1972, as amended; Section 504 of the Federal Rehabilitation Act of 1973; the Equal Pay Act of 1963, as amended; the Age Discrimination in Employment Act of 1967, as amended; the Pregnancy Discrimination Act of 1978; the Americans with Disabilities Act; and all

other applicable federal, state, and local legislation and regulations. Contact the Office of the Dean of Students or the Affirmative Action Officer for names of the current coordinators.

J. Sexual Offense Policy and Procedures

1. INTRODUCTION

Oberlin College will not tolerate sexual offense in the work or academic setting. Offenders will be subject to appropriate College adjudication processes and disciplinary action. Oberlin College will provide appropriate support to community members who feel that they have been victims of a sexual offense.

2. SEXUAL RELATIONS BETWEEN STUDENTS, FACULTY AND STAFF

Oberlin College seeks to provide and maintain the best possible learning and working environment. For this reason, it is prohibited for faculty members to engage in any sexual relationships with students to whom they are not married or in formal domestic partnerships, even when both parties believe that the relationship is consensual. This prohibition applies even if the student is not enrolled in the faculty member's class. Also prohibited, with the same exceptions, are sexual relationships between staff members and students. Faculty and staff who violate this prohibition are subject to appropriate College adjudication processes and disciplinary action.

All sexual interaction between students must be consensual. The term "consent" cannot be defined with enough precision to make a definition meaningful for any and/or all situations. Consent must be looked at on a case-by-case basis, by examining the facts of the particular matter. In some cases, however, consent may never be given, such as when an individual is asleep or unconscious, or when an individual's judgment is impaired by drugs or alcohol. Students should take advantage of educational and training opportunities offered at the College to clarify the meaning and nature of sexual consent. The spouse and partner guidelines for faculty apply to all non-student employees, married or not, who enter into sexual relationships. (See Faculty Guide, Appendix A, or reproduced below as Students' Rights and Responsibilities Section V., J., Appendix 6.) Because of the dynamics of power and authority between supervisors and workers, Oberlin College discourages sexual relationships between supervisors and subordinate employees.

3. DEFINITION OF SEXUAL OFFENSE

Sexual offense is behavior that calls attention to gender, sexuality, gender identity, or sexual orientation of persons in a manner that prevents or impairs

an individual's full enjoyment of educational or occupational benefits or opportunities. Enjoyment of educational or occupational benefits is to be interpreted broadly. Consequently, a sexual offense may occur on or off campus as long as it affects the campus community.

What is often at issue is not sexual attention per se but intimidation, coercion, or abuse of power. Such behavior may be especially harmful in situations where the imposition of unwanted sexual attention is accompanied by the promise of academic or employment rewards or the threat of reprisal. Sexual offense includes sexual harassment.

Because Oberlin College values and protects academic freedom, because vigorous and open discussion of controversial issues may cause discomfort, and because vital teaching and learning may themselves be the occasion for students and professors to face difficult or awkward or painful matters, it is important for all to realize that this policy on sexual offense is not intended to restrict serious discussion of controversial issues in academic situations.

No matter how carefully worded a definition of sexual offense might be, unforeseen situations may arise that cannot easily be included in any definition. Thus, a sexual offense is defined to include, but not be limited to, the following:

a. Sexual Harassment

- (1) Sexual harassment means unwelcome sexual conduct that has the purpose or effect of unreasonably interfering with an individual's performance or that creates an environment that a reasonable person would find hostile, offensive, or intimidating.
- (2) Sexual harassment includes behavior that is inappropriate to the academic or employment setting – for example, unwelcome or irrelevant comments, gestures, or touching – that may reasonably be perceived as a sexual overture or sexual denigration. This includes making known to other people a person's sexual orientation without his/her consent, and with the intent to denigrate that person sexually.
- (3) Sexual harassment includes a request for sexual favors when submission to or rejection of such a request might reasonably be viewed as a basis for evaluative decisions affecting an individual's career or educational experience.

b. Sexual Assault

Sexual assault is coercion with or without the use of physical force for the purpose of sexual relations; or sexual contact to which any party involved does not give full and free consent.

students' rights and responsibilities (cont.)

c. Sexual Battery

Sexual battery occurs when a person engages in sexual intercourse, fellatio, or cunnilingus with another through the use of coercion or when the victim's ability to appraise a situation or control his or her own conduct is substantially impaired. Sexual battery is a felony crime in the state of Ohio.

d. Rape

Rape occurs when a person engages in sexual intercourse, fellatio, cunnilingus, or penetration of anal or vaginal areas with any object, with another person through the use of force, threat of force, or by forcefully, deceitfully, or surreptitiously administering intoxicants. Rape is a felony crime in the state of Ohio.

4. POLICY ADMINISTRATION

a. Administration

In order to address the campus-wide needs for effective implementation of the following procedures and to provide ongoing education for the campus community, the President will appoint an Administrator, who will report to the President, and a Sexual Offense Review Committee (SORC) as outlined in the Appendices to this policy.

b. Education

It is essential that all employees and students of Oberlin College are knowledgeable about what behaviors constitute sexual offense and understand their responsibilities with respect to this policy. The Administrator will coordinate education and training on issues pertaining to sexual offense for the entire College community, including educating various groups such as SORC, members of the formal panels and the faculty Professional Conduct Review Committee, campus security officers, residence hall staff, academic departments, union representatives, and all supervisors. Every new employee will receive an orientation to the provisions of this policy. Yearly education for the College community will include presentations for students, faculty, and staff members.

The complete sexual offense policy will be published in the Student Rules and Regulations, the Faculty Guide, and all other student and employee handbooks. The names of advocate members of SORC and of the Administrator will also be printed in the Oberlin College telephone directory.

5. PROCEDURES

In this policy statement, a "respondent" is the person against whom a charge of sexual offense is brought; a "complainant" is the person who brings a charge of sexual offense.

a. Duty to Report

Any member of the campus community who believe(s) that his or her educational or work experience has been subjected to sexual harassment, sexual assault, sexual battery, or rape should contact the Administrator or an Advocate member of SORC (see Appendix 2 below). Any other member of the campus community who is aware of the occurrence of sexual harassment, sexual assault, sexual battery or rape must contact the Administrator. (If the Administrator is either the respondent or the complainant, the co-chair of SORC will be contacted and will assume the responsibilities of the Administrator). Complaints of sexual offense may also be made directly to the President, who will ensure that the complaint is forwarded to the appropriate administrator.

b. Confidentiality

Complaints of sexual offense should be dealt with according to established procedures, which treat all information as confidential. Only those individuals who possess a legitimate need to know should be told the details of allegations. Parties involved should not engage in public discussion of their cases.

c. Time Frame

Under normal circumstances, the time frames referred to in this policy should be followed. Any change in these time frames must be authorized by the Administrator or his/her designee. These time frames do not include days on which the College is not in session. The College is in session from the first day of enrollment until the last day of the spring term, except for official College holidays, winter shut down, and winter term.

d. Initial Investigation

(1) When the Administrator receives a sexual offense complaint, the Administrator will interview the complaining individual. The Administrator will also advise the respondent of the complaint and interview the respondent as to his/her position with respect to the allegation(s). The Administrator will also interview relevant witnesses and collect appropriate demonstrative information during his/her investigation. The Administrator will advise each person whom he/she has interviewed that he or she is to keep the matter confidential.

(2) The Administrator is authorized to attempt to mediate or otherwise informally resolve the complaint. Agreements made by the parties during this conflict resolution process are binding, and a person's violation of any agreement may result in discipline or other appropriate action. The Administrator may also decide that the seriousness of an alleged offense makes it necessary to file a formal complaint on behalf of the College even though a complainant may prefer to pursue informal procedures.

e. Formal Panel

(1) If the Administrator believes, after investigation, that a sexual offense has occurred and if the Administrator has been unable to resolve the matter, the Administrator shall draft a complaint that will be forwarded to the Formal Panel. The written complaint should normally contain the names of the complainant and respondent and, in general, should also contain the date or dates, time or times, and nature of the alleged sexual offense(s), the place where the alleged sexual offense occurred, and a general outline of the facts and nature of the alleged offense(s). The Formal Panel may consider and decide matters that in and of themselves are not violations of the Sexual Offense Policy when such matters are relevant to violations.

(2) At any time prior to the completion of the Formal Panel process, the President may suspend the respondent or assign a respondent to other duties. If the respondent is a faculty member, the President should make the determination concerning suspension with the concurrence of the appropriate divisional council and the General Faculty Council. Compensation will continue during the period in which the formal investigation takes place.

(3) After a decision to press a written complaint is made by the Administrator, the Administrator normally has five working days to prepare and deliver the written complaint to the respondent by certified mail (or, alternatively, by signed-for, hand delivery), and to notify the Secretary of the College that a complaint has been filed. The Administrator will also provide the respondent with a copy of the Sexual Offense Policy and Procedures at the same time the written complaint is delivered. The respondent normally has three working days following receipt of the written complaint to make contact with the Administrator to discuss the complaint and the procedures. Within seven working days following such contact with the Administrator, the respondent may file a written response. If the respondent does not contact the Administrator and/or provides no written response to the complaint within these time limits, the case will still go forward.

(4) At the request of either the complainant or the respondent, or when the Administrator deems it appropriate, the Administrator or his/her designee will inform both parties that contact between the parties must be limited only to that which is necessary and in the best interest of both parties and the institution. The Administrator or his/her designee shall make such determination after

discussion with appropriate division heads and/or the Director of Human Resources. Violation of such limitations may be taken into account by the Formal Panel and may result in discipline.

(5) Under normal circumstances, the Secretary of the College will convene the Formal Panel within 10 working days following delivery of the written charges (see Appendix 3 below). The President shall select an elected member of the Professional Conduct Review Committee to serve as the Chair each time the Formal Panel is convened during that academic year.

(6) All parties have the right to choose an advisor from the Oberlin College community to assist and support them through the Formal Panel process. Each party may also bring a non-participating support person to the hearing. No parties will be permitted to have an attorney act as their representative in a hearing. Neither the advisor nor the support person may serve as a witness at the hearing, and they will not be permitted to question witnesses or address the Formal Panel.

(7) The hearing will be closed to the public. No attorney representing any party may attend the hearing.

(8) Every member of the College community has an obligation to cooperate with the Formal Panel and to answer all questions truthfully.

(9) The Formal Panel will hear the witnesses and information of the complainant, the respondent, and the Administrator. Either party may elect not to provide testimony in the presence of the other party and the witnesses speaking on his/her behalf. Both parties shall be informed of this option by the Administrator prior to the hearing, and shall make their choice on this option known to the Administrator and, through the Administrator, to the Formal Panel before the commencement of any part of the Formal Hearing. Otherwise, each will provide testimony in the presence of all. If either party elects not to provide testimony in the presence of the complainant or respondent, as the case may be, separate rooms for the hearing will be provided, and one room will be wired for sound.

(10) The complainant, respondent, and Administrator have the right to present relevant witnesses and to provide other forms of pertinent information with respect to the case. Witnesses are not required to be members of the Oberlin College community.

(11) The Formal Panel has the right to question any and all witnesses who appear before it. The Formal Panel has the right to request witnesses to appear

students' rights and responsibilities (cont.)

other than those called by the parties and/or the Administrator. The complainant, respondent and the Administrator have the right to ask questions of the witnesses. If this privilege is abused or if other extenuating circumstances exist, the Formal Panel may prohibit such examination altogether or may require the abusing party to submit questions in writing from which the Formal Panel may choose to ask the witness. The complainant, Administrator, respondent, and Formal Panel will disclose their witnesses sufficiently in advance so that all parties have an opportunity to prepare for the witnesses.

(12) The Administrator or his/her designee shall make a record of the entire hearing, normally by means of audiotape. This recording will become part of the confidential record (see Appendix 4). The Administrator is the only party permitted to tape the proceedings.

(13) The conduct of Formal Panel hearings shall normally proceed as specified in Appendix 4, although the Formal Panel is free to deviate from its procedures when it deems appropriate.

(14) The Formal Panel shall be responsible for determining whether the preponderance of the evidence supports the allegations against the alleged respondent, and if so, whether such allegations constitute a sexual offense as defined in this policy. In order to find that a respondent has committed a sexual offense in violation of this policy, the decision of the Formal Panel must be at least 3-2. The Administrator or his/her designee will be responsible for informing the Formal Panel if the respondent is a repeat offender.

(15) Following the receipt of evidence, the Formal Panel shall provide a report and a recommendation to the President. The report shall indicate whether the Formal Panel has concluded from its investigation that a sexual offense has occurred. The necessary hearings will normally be conducted and a report and recommendations for appropriate action be presented to the President within 20 days after the Formal Panel has convened.

(16) Promptly after the Formal Panel has made its recommendation, the Chair will collect all notes and related documents accumulated by the Formal Panel during the proceedings and forward the material to the Administrator for safekeeping.

(17) The President or a designee appointed by him or her will review the report, normally within five days of its receipt. The President will render his or her decision after discussions with appropriate governing bodies and will provide written

notification (which will include the Formal Panel report) to the complainant, the respondent, and the Administrator. In the event that the respondent is a faculty member, the appropriate governing bodies are the appropriate divisional council and the General Faculty Council. In cases where the respondent is a member of a collective bargaining unit, the President shall render a decision in consultation with the Director of Human Resources. When the respondent is a member of the administrative and professional staff, the President shall consult with the appropriate division head. In cases involving a recommendation for serious sanction (suspension or initiation of dismissal proceedings), the procedures described in the College Bylaws and, in the case of faculty, the appropriate AAUP guidelines will be followed.

(18) Appeal. The respondent, complainant, or Administrator may present written arguments to the President or his or her designee as to why the Formal Panel's findings and recommendations or the President's decision were inappropriate within 10 days after the issuance of the decision by the President or his or her designee. The President or his or her designee will have five days from receipt of such written arguments to act.

(19) In the event that the respondent is the President, the recommendations of the Formal Panel will be reported to the Chair of the Board of Trustees.

6. PROTECTION FROM RETALIATION

If an individual experiences retaliation for making a complaint (when doing so in good faith), for cooperating during an investigation, or for appearing as a witness in a case, that person shall inform the Administrator. The Administrator will conduct an initial investigation and, if it appears likely that such retaliation has occurred, the Administrator will prepare a written complaint and forward it to the Secretary of the College and serve a copy of the complaint on the alleged wrongdoer. The Secretary of the College has the authority to call a new Formal Panel to hear the complaint or to refer the complaint to an existing Formal Panel.

Appendix 1: The Policy Administrator

A. DUTIES

(1) The Sexual Offense Policy Administrator, who is appointed by the President, will be responsible for campus-wide education regarding the sexual offense policy, training Sexual Offense Review Committee (SORC) members, members of the community who sit on Formal Panels, and the members of

the community who serve as Advocates. The Administrator is also responsible for initiating and coordinating the College's educational programs regarding sexual offense issues and policies for students, faculty, and staff members.

(2) The Administrator will be assisted by a Sexual Offense Review Committee (SORC), whose duties are outlined in Students' Rights and Responsibilities Section V., J., Appendix 2,. The SORC will give advice regarding ongoing policy issues and consult with the Administrator regarding the implementation of the sexual offense policy.

(3) The Administrator will serve as the permanent co-chair of SORC; the other co-chair will be a tenured teaching member of the General Faculty.

(4) The Administrator will be responsible for informal conflict resolution procedures and for coordinating the formal procedures.

(5) The Administrator will be responsible when necessary for advising appropriate faculty and staff members as well as the Academic Standing Committee on behalf of a student or students who have experienced some form of sexual offense or been involved in a sexual offense proceeding. In cases involving the Formal Hearing Panel, students may need to request extensions or Incompletes in their course work. The Administrator will help students in completing the process of requesting Incompletes. The Administrator shall notify students of, options for, and available assistance in changing academic and living situations after an alleged sexual assault incident, if so requested by the student and if such changes are reasonably available.

B. RECORD KEEPING

(1) Statistical

The Administrator should keep statistical records of certain crimes of a sexual nature that have been reported to campus security, the Oberlin police department, or to any College official with significant responsibility for student welfare and campus activity. Crimes of a sexual nature for which statistical records need to be kept are rape, statutory rape, sexual assault, and forcible fondling. The Administrator, in conjunction with the Dean of Student Life, shall publish the statistical records at such time and in such manner as required by the Student Right-to-Know and Campus Security Act.

(2) Records of matters investigated by the Administrator

Records, including the names of both parties, will be kept of all cases investigated by the Administrator.

(3) Records of Formal Procedures

Records of all Formal Panel hearings will be kept in confidence by the Administrator and all members of the Panel. Normally, they will be divulged only to the President for his or her review or, if requested, to College counsel, or if subpoenaed by a court of law. When necessary to determine disciplinary action, the record before the Formal Panel may be disclosed to the appropriate divisional faculty council and to the General Faculty Council.

(4) Duties of the Administrator Regarding Record Keeping

The Administrator will be responsible for keeping records on the actions of SORC, a statistical record of all incidents, and confidential files on complaints of sexual offense. Normally, the co-chairs of SORC will have access to the confidential files on sexual offense complaints or charges, which will be kept under lock and key in the Administrator's office.

Records of complaints will show the complaint and the disposition of the complaint, as well as the names of the complainant and respondent.

(5) Special Access to Records and Information

In cases that invoke the use of procedures found in Oberlin College collective bargaining agreements, the Director of Human Resources or his/her designee shall be granted access to the applicable confidential files. In cases in which charges are filed concurrently or subsequent to the case with outside government agencies, the Affirmative Action Officer and/or Title IX Compliance Officer shall be granted access to the applicable confidential files.

College counsel shall have access to the applicable confidential files in all cases involving litigation or threat of litigation.

Appendix 2: The Sexual Offense Review Committee (SORC)

A. COMPOSITION

(1) The Sexual Offense Review Committee (SORC) will be composed of two representatives from each of the following constituencies: Students, faculty members, administrative and professional staff members, and at least one member each from the OCOPE and UAW bargaining units. SORC members should include representation by people of color and lesbian/gay/bisexual/transgendered people, if possible. Appointments to the Committee will be made by the President after consultation with current SORC members, the Administrator, and the executive body of the applicable employee group. In appointing student members, the President shall consult with the Student

students' rights and responsibilities (cont.)

Senate. Each Committee member will serve a two-year term, with terms among members of the same constituency overlapping.

(2) Five members of SORC will be appointed to serve as first contact advocates for the campus community. (See section b below: Advocacy). The entire Committee will be responsible for update and review of the sexual offense policy. The Administrator will keep an updated list of resources on and off campus (e.g., support groups, counseling services, community programs) and provide advocates with the information.

(3) Co-chairs of SORC will be a tenured teaching member of the General Faculty and the Administrator.

(4) SORC members will normally be appointed by the end of April of each school year. Training for SORC will be coordinated by the Administrator.

(5) The SORC will issue an annual report summarizing the number, types, and outcomes of sexual offense cases and forward it to the Administrator. No names will be included in the report. At least every second year, SORC will undertake a review of the Sexual Offense Policy and, if necessary, recommend revisions to the General Faculty.

B. ADVOCACY

(1) Role of Advocates: An advocate is the first person who should be called with questions about Oberlin's sexual offense policy, either for making informational inquiries or for reporting incidents of sexual offense. Advocacy is available to both complainants and respondents. The Administrator is responsible for educating advocates about the nature of sexual offense and Oberlin's sexual offense policy. Advocates' names, campus addresses, and campus phone numbers will be published in flyers sent to the entire Oberlin College community by the end of each April for the following academic year. During the summer, advocates who are on campus will continue to be available to the College community for cases that may arise while the College is not in session.

(2) There will be an Advocate from each campus constituency (i.e., faculty, students, administrative and professional staff, OCOPE and the UAW). These Advocates will have institutional support for their work: hourly employees may need release time and/or paid overtime. The College will fund advocates' attendance at relevant workshops or conferences once a year. Hourly employees will be given release time with pay for time spent attending such workshops or conferences. If appropriate, the deans of the College or the Conservatory or the appropriate division head may grant faculty and administrative and professional staff members release time from their departmental duties. When necessary, students may be excused from classes without penalty.

(3) The Administrator will conduct an extensive training session for the Advocates each year. The Administrator will schedule additional meetings with the campus advocates as necessary to review any changes in policy or procedures.

(4) An Advocate is not a counselor, but is available to provide information and to refer individuals to the proper resources if counseling is indicated. An Advocate will describe options and procedures so that if further action is warranted and/or desired, the individual requesting information will be able to make appropriate decisions about a course of action.

(5) All contacts with an Advocate will be recorded and forwarded to the Administrator or his/her designee. All further actions will be determined by the Administrator or his/her designee in consultation with the complaining individual.

(6) An Advocate may serve as an advisor during the Formal Panel process, but may not be called by any party as a witness or participate in the hearing in any way other than to provide support to a complainant or respondent.

Appendix 3: The Formal Panel

A. The five-member Formal Panel will be convened by the Secretary of the College. The President shall select an elected member of the Professional Conduct Review Committee to serve as the Chair each time the Formal Panel is convened.

B. Respondent is a Faculty Member: Augmenting the Formal Panel. In cases in which the respondent is a faculty member and the complainant is not, the Formal Panel will be composed of five faculty members drawn by lot from the membership of the Professional Conduct Review Committee, plus a sixth non-faculty representative who will be chosen by lot from the membership of either the Administrative and Professional Staff Grievance Committee; the Judicial Board (as expanded; see below, paragraph c); the UAW Grievance Committee, or the OCOPE Grievance Committee, as appropriate. This non-faculty representative will have full voice during the hearing of the case and will present a written recommendation to the panel, but the faculty members alone will determine guilt or innocence.

C. Respondent is Not a Faculty Member: For cases in which the accused is not a faculty member, the pool for the Formal Panel will be drawn from the Professional Conduct Review Committee; the Administrative and Professional Staff Grievance Committee; the Judicial Board; the UAW Grievance Committee; and the OCOPE Grievance Committee. In order to provide for diversity in the pool of students who might serve on Formal Panels, the Administrator will, in consultation

with appropriate student organizations, each April appoint five students to serve along with the members of the Judicial Board as the pool for Formal Panels. Panels will be drawn by lot from this pool with a Formal Panel being composed of three members of the respondent's employee/student group and two members of the employee/student group of the complainant.

D. The Administrator will coordinate education and training concerning sexual offense and Oberlin's policy for each campus group represented in the Formal Panel pool. All members of the Professional Conduct Review Committee, the Administrative and Professional Staff Grievance Committee, the Judicial Board (as expanded above), and the campus unions' grievance committees will receive training, as coordinated by the Administrator.

E. Any member of the Formal Panel should disqualify him or herself from a case if, after learning of the identities of the parties involved, he or she feels that he or she cannot participate objectively.

F. All matters of interpretation regarding proceedings of the Formal Panel shall be determined by the Panel.

Appendix 4: Conduct of Formal Panel Hearings

The following shall be the order of procedure for a formal hearing:

- A.** Opening statement of Complainant or Administrator, if acting as Complainant, and presentation of written complaint.
- B.** Opening statement of Respondent.
- C.** Witnesses and evidence submitted by the Complainant or Administrator, if acting as complainant.
- D.** Witnesses and evidence submitted by the Respondent.
- E.** Witnesses and evidence requested by the Formal Panel.
- F.** Rebuttal witnesses and evidence submitted by the Complainant or Administrator, if acting as Complainant.
- G.** Rebuttal witnesses and evidence submitted by the Respondent.
- H.** Summary of evidence (closing statement) submitted by Complainant or Administrator, if acting as Complainant.
- I.** Summary of evidence (closing statement) submitted by Respondent.

Appendix 5: Appropriate Disciplinary Guidelines

Sexual offenses may demand serious sanctions. The Formal Panel will judge each case on its merits and recommend disciplinary action according to the seriousness of the offense and, when appropriate, on the record of the accused.

- 1.** If a person is found guilty of sexual harassment, the recommended disciplinary action may include, but not be limited to, admonition, probation, suspension, or dismissal, depending on the severity of that offense. Offenses involving abuse of power, as opposed to misconduct between equals, and especially repeated abuse of power (i.e., professor-student; supervisor-employee, tenured-untentured faculty) are always severe and may result in dismissal.
- 2.** If a person is found guilty of sexual assault (coercion with or without physical force) or attempted sexual assault, the recommended disciplinary action may be dismissal, termination, or suspension/expulsion, according to the procedures for students and each employee group.
- 3.** If a person is found guilty of sexual battery or rape, the recommended disciplinary action will be dismissal.
- 4.** Disciplinary action shall normally include participation in an education program designated by the Administrator. Repeated offenses while on probation may result in suspension or dismissal.

Appendix 6: Guidelines on Employment of Spouses, Partners, and Immediate Family Members

Subject to the guidelines listed below, Oberlin College recognizes no restrictions on the full-time and permanent employment of spouses, partners or immediate family members on the teaching faculty and other College employment.

Guidelines:

- 1.** All candidates for job openings will be judged competitively on the basis of professional qualifications. Spouses, partners, or immediate family members will be considered equally with other candidates.
- 2.** No faculty member will participate in any part of the evaluation process of a spouse, partner, or member of his or her immediate family.

students' rights and responsibilities (cont.)

K. Noise

College housing units are students' homes and must inevitably accommodate a wide range of lifestyles, freedoms, and values. A continuing subject of concern in Oberlin's college housing is noise, as must be the case in any community where people live in extremely close quarters with their peers or community members and have tastes, schedules, and habits that differ widely. It is appropriate to have agreed-upon times and occasions when the noise level will be much higher than usual, for instance when parties have been planned. However, every Oberlin student is expected to ensure that neither he/she nor any situation for which he/she has responsibility, is noisy enough persistently to disturb his/her fellow residents or persons who live in the neighborhood close to College housing units.

It is expected that house councils and other groups with the responsibility for governance will establish rules and guidelines in college housing to meet particular situations, and that such groups, along with the Residential Education staff, and OSCA and individual students, will work collaboratively to encourage compliance and to promote such principles, procedures, and policies among students. Early in the year, students are expected to discuss whether or not they want to implement specific quiet hours. It is essential to bear in mind that College housing units are students' private homes; while they are of course places to relax, these rooms are the only place where students are guaranteed space and opportunity for sleep; they must also provide private study space. Therefore, the College makes the following housing regulations, which may be augmented by those that the house will establish:

1. All stereo systems, television sets, radios, etc., in College housing units must be used either with earphones or at a level that does not disturb others. These standards for appropriate noise levels are purposely stringent; students living on-campus are encouraged to establish standards for at least moderate quiet hours.
2. The practicing or playing of musical instruments in student rooms or other areas of the building is not permitted except where the house council or other governing body has designated particular times and areas for such activity. Amplified instruments are not permitted under this clause unless the house council or other governing body and the Resident Director approve other specific parameters.
3. Specifically, music that is loud enough to possibly disturb persons outside the building, or in other buildings, must be restricted to the times designated. The House Council or other governing body has a responsibility to determine what times and conditions will be considered acceptable:

- A. In conjunction with the house councils or other governing bodies of neighboring College housing units.
- B. After careful consideration of the wishes of people in other buildings in the surrounding area.
- C. After consultation with Professional In Hall Staff (PIHS) and other staff or persons who can bring a helpful, long-term perspective to these considerations.

4. At all times, students have responsibility for showing consideration for roommates and neighbors, for cooperating when reasonably requested to reduce the volume of noise, and for negotiating agreements with neighbors and other concerned parties about appropriate guidelines for the playing of music or any other activity that has the potential to be a noise disturbance.

Students are encouraged to take the following steps to counteract the problem of noise in each College housing unit:

- A. The section, floor, or house should gather at the beginning of the academic year to discuss various community issues and to establish what standards for quiet are desired. Responding to a brief written questionnaire prior to discussion is often helpful so that all those at the meeting are aware of their neighbors' concerns and ideas.
- B. A meeting of representatives from the staff and house councils or other governing bodies of nearby College housing units should be held early in the year to discuss issues of noise that may extend beyond the confines of individual buildings; students are also urged to consult with neighboring townspeople before establishing any guidelines for noise control of situations that may affect such neighbors.
- C. Individual students who are disturbed by noise are urged to make a direct, courteous request to the relevant person(s) to reduce noise.
- D. If a problem persists, any student who is disturbed should request a meeting to review the agreements that have been made and to discuss a solution. Students may want to ask for the support of a staff member in facilitating such a discussion.

In the event that conflicts are not resolved by any of the above consultations and negotiations, students are encouraged to communicate their problem to the house council or other governing body, to seek the assistance of the residence hall staff, or, if necessary, to lodge a complaint with the Judicial Coordinator.

L. Room Inspections

Amended administratively in August of 2005 to reflect structural and functional changes in the Office of Residential Education and Dining Services formally titled Residential Life and Dining Services.

Approved by the Rules and Regulations Task Force on April 18, 2001, approved by Student Senate on April 21, 2001; and approved by the General Faculty on April 22, 2001.

There are numerous occasions in which a staff member has the right to enter a student's assigned room in a College housing unit. When entering a room for the purposes of life-safety inspections, closing a building (fall, winter, and spring breaks), facility maintenance, check-outs, and informal visits, the following activities may occur:

1. If staff members observe items in plain view that are prohibited by the Code of Conduct, such items may be reported.
2. Judicial action may be taken against the resident and any other student involved in the violation.
3. Staff members may have representatives of the Office of Safety and Security confiscate and turn over to the proper authorities prohibited items such as weapons, alcohol, illicit drugs and paraphernalia that could be used to ingest illicit drugs. Staff members may have Safety and Security Officers or Professional In Hall Staff Members confiscate other items found in plain view that are prohibited according to College housing policies.
4. Confiscated items may be used as evidence in College judicial proceedings.
5. The College reserves the right not to return confiscated items.
6. Notifying students prior to entering their rooms is not necessary in cases of life-safety inspections and facility maintenance. Students will be notified in advance of staff inspections prior to the closing of College housing (fall, winter, and spring breaks).

M. Room Searches

Individual room searches are permitted when there are reasons to suspect the existence of contraband or crime. Except for life-safety searches, which the College reserves the right to conduct at any time and without notice, room searches will comply with the following regulations:

1. General room searches are prohibited and may not be authorized.
2. All searches are to be authorized by the Office of the Dean of Students or his/her designee in advance in writing.

3. Students will be notified if a search of their room has been authorized, but they need not be present at the time of the search. The resident may send a witness to observe the search if he/she wishes.
4. The resident has the right to be present during the search and/or to appoint a witness to observe the search.
5. A College official will oversee each search.
6. The resident retains the right to compensation for any damage done to his or her property during a search.
7. If a search has not complied with these regulations, College judicial action against the resident(s) may not be taken on the basis of evidence discovered during the search.

N. Policy on Alcohol, Drugs and Tobacco

Approved by the Student Life Committee on April 13, 1995.

Oberlin College prohibits the unlawful possession, use, or distribution of alcohol or drugs. It is the College's policy to provide a learning, living, and work environment that is free of illicit drugs, tobacco smoke, and the unlawful use or abuse of alcohol.

Believing that the acceptance by students of full responsibility for their conduct is an essential component of the educational process, the College seeks to prevent the destructive use of tobacco, drugs, and alcohol by means of counseling and the education of students with regard to the risks involved.

While the College's emphasis is on preventive and educational approaches to substance use and abuse, the College will not protect students from local, state, or federal laws. College judicial procedures will be initiated if a complaint of misconduct related to drug, alcohol, or tobacco use is filed by a member of the Oberlin College community. Judicial sanctions may include suspension or expulsion, depending on the seriousness of the offense.

The following statement was issued to the Oberlin College community by the General Faculty Council on May 9, 1991:

"Oberlin College cannot condone the illegal possession, consumption, provision or sale of alcohol or drugs, and Oberlin College cannot protect members of the community from prosecution for crimes under federal, state, or local laws. Ohio state law (Section 4301.69) provides that no person shall sell intoxicating liquor or beer to a person under the age of twenty-one years, unless given by a physician in the regular line of his/her practice, or by a parent or legal guardian. Drugs are defined as including marijuana as well as the following, all of which are illegal except when taken under a

students' rights and responsibilities (cont.)

doctor's prescription: barbiturates, amphetamines, prescription tranquilizers, LSD compounds, mescaline, psilocylin, DMT, cocaine, and other narcotics or opiates."

1. SUMMARY OF STATE LAWS

Ohio Revised Code Governing Alcoholic Beverages

Section 4301.22(A). No intoxicating liquor or beer shall be sold to or handled by any person under twenty-one years of age. The penalty for violation of this section provides for a fine of not more than \$500 and imprisonment of not more than 60 days, or both. (Third degree misdemeanor.)

Section 4301.69. No person shall sell* intoxicating liquor or beer to a person under the age of 21 years, or buy intoxicating liquor or beer for, or furnish it to, a person under the age of 21 years, unless given by a physician in the regular line of his practice, or by a parent or legal guardian. The penalty for violation of this section provides for a fine of not more than \$1,000 or imprisonment of not more than six months, or both. (First-degree misdemeanor.)

** The law is quoted as it reads. Selling alcoholic beverages, however, requires a license and thus is not legal anywhere on campus except the Dionysus, where a license has been issued to sell beer, and the Oberlin College Inn, which has a full liquor license.*

Ohio Revised Code Governing Drugs

The current Ohio law regarding drug abuse, including marijuana, may be found in Chapter 2925 of the Ohio Revised Code and related sections in Chapter 3719. Activities covered in these sections include drug abuse, trafficking in drugs, possession of drug abuse instruments, corrupting another with drugs, permitting drug abuse, selling paraphernalia for consumption of marijuana to minors, drug theft, deception to obtain drugs, illegal processing of drug documents, abusing harmful intoxicants, illegal dispensing of drug samples and counterfeit controlled substances. Traffic laws relating to driving while intoxicated or drugged are to be found in Chapter 4511 of the Ohio Revised Code.

The federal law with respect to drug abuse prevention and control may be found in Title 21, Chapter 13 of the United States Code.

Ohio Revised Code Governing the Reporting of a Felony

Section 2921.22. No person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities.

Copies of these laws will be made available to students on request from the Office of the Dean of Students.

If a student is apprehended on or off campus by the state, local or federal authorities for violation of drug laws:

- A. The student will remain enrolled in the College.
- B. Students released on bail will normally be free to continue their courses of study while awaiting legal proceedings.
- C. Withdrawal without prejudice will be granted to those who find it impossible to continue for legal or personal reasons.
- D. Conviction for a drug or alcohol-related offense will not automatically result in separation from the College, but College judicial procedures will be initiated if a complaint of misconduct is filed by a member of the Oberlin College community.

2. RISKS ASSOCIATED WITH THE ABUSE OF ALCOHOL, DRUGS, AND TOBACCO

The College is concerned about the risks and potential dangers involved in the abuse of alcohol, drugs, and tobacco. There is the risk that the abuse of alcohol, drugs, and tobacco may cause profound changes to an individual's physical and/or psychological health. Also, the abuse of alcohol, drugs, and/or tobacco may interfere with the process of free and open intellectual inquiry, the interaction and the trust that are crucial to the educational community. Finally, there is the risk of being subject to College judicial procedures as well as the risk of being arrested and possibly serving a prison sentence.

3. SUPPORT AND COUNSEL

For counseling, students are advised to consult with the Office of Student Health Services and the Counseling Center. Consultations with physicians and psychologists are confidential, and subject to Ohio law governing the practice of Psychology and Medicine. Others also stand ready to help. If individuals need support or seek advice, they may initiate contact with:

- The Counseling Center
(440) 775-8470
<<http://www.oberlin.edu/students/links-life/counseling.html>>
- AA (Alcoholics Anonymous)
(440) 246-1800
- Resident Directors
(440) 775-8472
- Office of Safety and Security
(440) 775-8444 or, for emergencies, x58911
- Office of Student Health
(440) 775-8180
- Office of Religious and Spiritual Life
(440) 775-8103

- Center for Leadership in Health Promotion
(440) 775-8462
- Lorain County Alcohol and Drug Abuse Services
(LCADA)
(440) 323-0860
- Allen Memorial Hospital Emergency Room
(440) 775-1211

4. VIOLATIONS OF COLLEGE POLICIES

Whether or not misconduct is involved, those concerned about instances of alcohol and drug abuse and violations of the smoking policy on the campus have the following options:

- Directly express concern and urge the student to seek support and assistance from among those listed above.
- Refer the matter to the campus Judicial Coordinator.
- Refer the matter to the civil authorities (i.e., report the matter to the police).

5. ALCOHOL POLICY

The following is the College's policy regarding the serving of alcoholic beverages on campus.

- Persons who serve alcohol at any campus function must be twenty-one years of age in accordance with Ohio state law.
- If alcohol is to be served at a student-sponsored, all-campus function, sponsors must employ certified student bartenders and comply with Ohio state law. Students who wish to be certified as bartenders must complete an alcohol education course that is offered each semester by the Office of Residential Education and Dining Services to address issues of safety and liability.
- Students acting as bartenders must sign a statement stating that they are aware of the Ohio state law and that they are responsible for compliance with it.
- Every party is required to have two trained, paid bartenders hired by the party sponsor from the current list of students that have been certified through TIPS (Training for Intervention Procedures by Servers of Alcohol) by the Office of Residential Education and Dining Services. In addition, each party must provide registers at the door for non-OCID guests to sign. Guests must have a valid proof of age and must be hosted by a member of the Oberlin College community.
- Some parts of the College grounds are considered to be in the public domain. Individuals on campus should be aware that the "open container" law applies in those areas and thus they can act accordingly.

F. To help ensure state laws are followed, the possession or consumption of alcoholic beverages in the College dining halls or public areas is not permitted, excluding special programs or dinners if special approval has been given.

6. DRUG POLICY

The College's emphasis is on preventive and educational approaches to drug abuse. While the College will not protect students from drug laws, there are forms of conduct that are particularly unacceptable in an educational community and that will not be tolerated. College judicial procedures will be initiated if a complaint of misconduct related to drug abuse is filed. Under the terms of the Judicial System Charter, any member of the College community may file a complaint. Such cases may result in sanctions including suspension or expulsion, depending on the seriousness and extent of the offense.

7. INTOXICATION POLICY

Approved by the General Faculty on March 5, 2001.

Oberlin College promotes an "intoxication" policy that centers on concern for the health of individual students and on the safety and well being of the campus community. No person, while voluntarily intoxicated, shall engage in conduct that presents or creates a condition he or she should know is likely to present a risk of physical harm to another person, to the property of another, or to him/herself.

For those students who are found to be abusing alcohol and/or drugs, the College's first priority is to ensure that they receive appropriate counseling and medical attention. This policy is based upon the expectation that students will take responsibility for their own decisions surrounding the use and abuse of alcohol and/or drugs, and that they will accept the consequences of those decisions.

a. Policy

Consistent with these goals, the College maintains the following policy with respect to alcohol intoxication:

- Alcohol and/or drug consumption to the point of severe intoxication is a violation of College regulations. When severe intoxication is an accompaniment to other possible disciplinary infractions, under no circumstances may it be regarded as a mitigating factor; indeed, disciplinary infractions may result in additional sanctions when they are in part or in whole the consequence of alcohol abuse.
- Severe intoxication is defined as intoxication that may be reasonably judged to represent significant potential harm to self or others.

students' rights and responsibilities (cont.)

((3) Customary indications of severe alcohol intoxication include one or more of the following signs:

- (Stumbling/staggering/bumping into things/spilling beverages
- Falling down/injuries
- Unawareness of surroundings/semi-consciousness/loss of consciousness/passing-out
- Inability to state or recall basic personal information such as name, address, telephone, birth date, social security number, hometown, etc.
- Vomiting/low breathing rate (less than 12 breaths per minute)/inability to control excretion (loss of bowel/bladder control)
- Severe agitation
- Slurred speech
- Sudden or extreme behavioral or personality change
- Agressiveness/behavior resulting in actual or threatened harm to self or others

b. Sanctions

Under ordinary circumstances, first-time intoxication unaccompanied by other possible disciplinary infractions results in a required consultation with one or more members of the alcohol support team, without additional disciplinary procedures or sanctions. The alcohol/substance use support team typically consists of the Assistant Deans of Residential Education, Associate Deans who serve as Judicial Coordinators, the Assistant Dean of Students/Director of the Center for Leadership in Health Promotion, and a member of the counseling staff. The reoccurrence of such violations may result in judicial action and include sanctions appropriate to the individual situation.

c. Good Samaritan

Oberlin College wishes to ensure that students at medical risk as a result of alcohol or substance use will receive prompt and appropriate medical attention. For this reason no student seeking medical attention for him/herself (or another) for intoxication or overdose shall be formally sanctioned for the illegal use or possession of alcohol or other drugs when other college policies have not been violated in conjunction with the intoxication or overdose. Such students will meet with a Judicial Coordinator in the Office of the Dean of Students to discuss the incident. The Judicial Coordinator has the discretion to refer the individuals for appropriate educational intervention(s), including but not limited to: screenings with members of the alcohol/substance use support team, parental

notification, writing reflective essays, AOD assessments at a state certified agency or treatment center, etc.

8. EDUCATIONAL INTERVENTION FOR INFRACTIONS OF THE POLICY ON ALCOHOL, DRUGS, AND TOBACCO

This is an amended version of a proposal instituted in September of 2003. In general, this process will be followed. However, each Judicial Coordinator has the authority and expertise to assign sanctions based upon his/her discretion and the particulars of the case.

Introduction: Although the application of sanctions in Oberlin College's Judicial Process are handled on a case-by-case basis and never applied automatically, violations of the College's Revised Policy on Alcohol, Drugs and Tobacco will customarily result in the following judicial responses. Sanctions will customarily be imposed except in cases in which a judicial coordinator determines that the Good Samaritan policy applies. This policy ensures that the concern for judicial consequences does not become an impediment for students seeking assistance for themselves or others when the abuse of alcohol and/or drugs presents a significant health risk. In such cases and where there are no additional infractions of the Code of Conduct, students may be asked to take advantage of educational or counseling opportunities; however no formal judicial action will be taken. In any of the instances outlined below, written or service oriented educational sanctions may be required in addition to the other options outlined.

i. Offenses of illegal substance use AND/OR open container AND/OR underage drinking AND/OR intoxication/drug impairment:

A. First offense

(1) Online screening that will help the individual evaluate his or her personal patterns of alcohol or drug use and/or a requirement to read a relevant booklet followed by writing a reflection paper, and/or (an) other appropriate educational intervention(s) to be determined by the hearing officer.

B. Second offense

(1) Written Warning

(2) CHOICES, an Alcohol/Other Drug Class, to be offered regularly throughout the semester; a \$25 administrative fee charged to the student; and/or (an) other appropriate educational sanction(s) to be determined by the hearing officer.

C. Third offense

(1) Alcohol and other drugs screening by Counseling Center and/or (an) other appropriate educational sanction(s) to be determined by the Judicial Coordinator.

(2) Parental Notification: Judicial Coordinator asks the student to call parent(s) and request a return call to confirm notification of infraction. In cases where the Judicial Coordinator is not contacted by parents within 24 hours, he/she will contact the parents.

(3) Deferred Probation (will be converted to a year of probation if all other sanctions are not completed in the specified time.)

D. Fourth offense

(1) Options include AOD assessment at Lorain County Alcohol and Drug Abuse Services (LCADA) in Elyria or another state certified treatment center in Ohio or in student's home state.* This assessment must be completed within the period of time specified by the Judicial Coordinator.

(2) Parental Notification: Judicial Coordinator asks the student to call parent(s) and request a return call to confirm notification of infraction. In cases where the Judicial Coordinator is not contacted by parents within 24 hours, he/she will contact the parents.

(3) Probation until graduation.

E. Fifth offense

(1) Referral to Community Board.

II. Intoxication, in combination with an allegation of a Sexual Offense Violation

These violations will be referred to the Sexual Offense Policy Administrator for adjudication. Some of the educational and counseling responses listed above may be invoked in such cases.

IN EVERY INSTANCE ABOVE, ADDITIONAL SANCTIONS MAY BE APPLIED WHEN INFRACTIONS ARE ACCOMPANIED BY OTHER INFRACTIONS OF THE CODE OF CONDUCT.

The Judicial Coordinator will be able to supply a list of two to three approved centers in the Oberlin-Cleveland area. This list does not constitute a specific referral, but serves to assist the student in identifying an appropriate resource in a timely fashion. **The responsibility for the cost of the assessment rests entirely with the student.*

The respondent must provide the Judicial Coordinator and the certified agency with a signed release permitting the agency to provide an assessment report outlining its recommendations. The student is also required to sign a release allowing relevant third parties to provide the Judicial Coordinator with documentation that verifies completion of the recommendations made by the assessing agency including, but not limited to in- or out- patient treatment programs, counseling, and/or participation in support groups.

9. SMOKING POLICY

The General Faculty voted to adopt the following policy regarding a campus-wide smoking ban in the fall of 1993.

Oberlin College's policy is to limit smoking by its faculty, staff, students, and visitors to outdoor areas on campus that are away from building entrances and exits. Smoking is banned at all times in all campus buildings including libraries, offices, residence halls, co-operative housing units, and designated village housing units, dining rooms, laboratories, classrooms, lounges, etc. Smoking in College-owned vehicles is also banned. Each community member is responsible for understanding the smoking policy and is encouraged to educate his/her peers.

O. Identification Cards

Oberlin College has a computerized ID card system that serves as general identification, College housing unit access, and dining hall access. New students are issued ID cards and all students are expected to use the original ID card during their entire student career.

Lost or damaged cards may be replaced by paying a replacement card fee and obtaining a new photo card from Campus Dining Services. The Office of Safety and Security can provide temporary replacement access-only cards for housing on evenings and weekends. Temporary dining hall access cards can be requested at Stevenson Dining Hall during meal hours with the temporary ID and an authorized slip from the Office of Safety and Security.

Students are expected to carry their identification card at all times. At the request of any Safety and Security officer or employee of the College, a student must identify him/herself and surrender his/her ID card. Failure to do so is considered a serious violation that could lead to suspension, probation and/or a fine. Failure to identify oneself also may lead to the assumption that one is not a student, and, if there has been misbehavior, civil action may be taken. Any attempt to use a College ID that has expired or to make any use of another person's ID is a violation of the Student Code of Conduct.

P. Appearance Codes Policy

Oberlin College recognizes choices of dress and appearance as issues of free speech and expression. There are, however, some college and organizational functions (e.g. theater productions, varsity games, etc.) for which a specific costume is required, or for which some dress code or appearance policy must exist. Accordingly:

1. Any dress codes or appearance policies must be explicit and must be communicated to potential participants in an activity/group prior to their participation.

students' rights and responsibilities (cont.)

2. Because dress codes and appearance policies may effectively bar students from participating in College events they would otherwise wish to, the greatest care should be taken when determining and applying such codes and policies. Interference with a student's ability to participate in College events and activities is normally grounds for judicial charges under the Rules and Regulations and so any decision to limit this ability must be carefully considered.

3. In general, the College discourages the creation and application of dress/appearance codes unless such codes are demonstrably necessary to the function of the program.

4. Adherence to an appearance or dress code may not be required for membership in a student organization.

5. Public health laws require that shirts and shoes be worn in dining halls.

Q. Animals in Public Buildings or on the Campus

Dogs may not be brought into College buildings, including College housing units or other facilities. (Service animals accompanied by their blind users are exempted from this section of the regulation.) Dogs running loose on the campus, in violation of the city leash-law, may be picked up and impounded by Office of Safety and Security or the City Dog Warden. Dogs may not be tied or leashed to any trees, shrubs, sign posts, railings, or other such stationary objects on campus.

For information pertaining to caged pets, see Housing and Dining Regulations, section b. 7.

R. Unauthorized Keys

Any student who is found to have in his/her possession a key to any College room, residence or building for which he/she is not authorized, or who misuses an authorized master key, is subject to suspension or dismissal. Unauthorized keys must be surrendered upon demand to any College officer or staff representative.

S. Dangerous Weapons, Fireworks, or Explosives

Because of the danger posed to the College community, possession of dangerous weapons, fireworks, or explosives on College property is expressly forbidden. Definition of these items includes, but is not limited to, the following: firearms (to include bb-guns and all other types of air or spring-powered weapons),

knives, firecrackers or sparklers, gunpowder, dangerous instruments (including lock-picking devices), and unstable and hazardous chemicals, except for those stored and used in the appropriate laboratory facilities.

T. Use of Fire Escapes and Roof Tops

Use of the fire escapes on any College building is permitted in emergency situations only. Any non-emergency use of fire escapes is expressly forbidden and will be considered an act of trespass.

Presence on the rooftop of any College building is forbidden. Persons with a need to go on the rooftop must have written authorization from the Director of Facilities Operations and the Director of Safety and Security prior to doing so. Any unauthorized presence on a rooftop will be considered an act of trespass.

Sunbathing is permitted on the designated sun deck roofs located at Harkness and Fairchild. (Any roof area that must be accessed by a window is not a designated sunbathing area.)

U. Unauthorized Entry or Presence in College Facilities

Unauthorized entry or presence in College facilities is strictly prohibited and will be considered an act of trespass. Unauthorized entry or presence will include, but not be limited to, the following violations: entry/presence in a residence hall when said facility is closed for a vacation or break period; remaining in a facility after closing hours; entry/presence in the office, studio, laboratory or residence hall room of another person without the permission of the assigned occupant, resident, building representative, or College official with valid authority to permit same; and entry/presence in any College facility that is closed or otherwise restricted as to use or activity.

V. Possession of Stolen Property

Property rights are an important consideration within any community. For this reason, no person shall at any time have in their possession or under their immediate control, on Oberlin College grounds, the unlawfully obtained (stolen) property of another person or of any firm, institution or municipality.

"Unlawfully-obtained" or "stolen" property shall refer to any items of material value possessed/controlled by an individual without the explicit permission or authorization of the owner or the owner's designated representative.

W. Motor Vehicle Parking and Traffic Regulations

1. Motor Vehicle Parking and Traffic Regulations are designed to best utilize existing parking facilities and maintain an orderly flow of traffic on-campus.
2. The Oberlin College Office of Safety and Security is responsible for the administration of the regulations.
3. Oberlin College assumes no responsibility or liability for a motor vehicle or its contents while parked or operated on the property of the College.
4. Registration – All motor vehicles owned or operated on College property must be registered with the Office of Safety and Security. This includes vehicles owned or operated by students who live off campus but park on campus, even for a short period of time.
 - A. Vehicles must be registered as soon as they are brought to campus. Annual registration will be valid until 72 hours after Commencement Day of each academic year.
 - B. First-year students are discouraged from having a motor vehicle at the College.
 - C. Registration fees are due at the time of registration of the vehicle.

5. General Information

Individuals may register only those vehicles for which they are the primary owner/operator. Persons must be prepared to show proof of ownership and proof of insurance at the time of registration.

The person to whom a vehicle is registered will be responsible for all citations issued thereto.

Oberlin College reserves the right to revoke registration and campus parking privileges for the following reasons:

- A. Repeated failure to abide by the regulations, as shown by six or more paid or unpaid violations-of-record within an academic year.
- B. Falsification of information on registration forms.
- C. Actions deemed hazardous to the community or property of Oberlin College.
- D. Failure to register a vehicle in accordance with state laws. All vehicles registered and parked on College property must be properly licensed and inspected for operating conditions in accordance with the laws of the State of Ohio or the laws of the state in which the vehicle is duly licensed.

Anyone registering a vehicle and accepting the appropriate permit shall, therefore, be deemed to have acknowledged the Parking Regulations and shall be deemed responsible for compliance with the regulations.

A complete list of vehicle rules and regulations may be obtained from the Safety and Security Office.

X. Use of Bicycles

1. STUDENT BICYCLE REGULATIONS

- A. Students owning a bicycle (whether new or second hand) must register it in their own name with the Oberlin Police Department (85 South Main Street) before using it on campus or in town. A registration permit will be attached to each bicycle so registered. [The Office of Safety and Security provides this service for no fee.]
- B. Students who ride their bicycles in the evening (from one half-hour after sunset) are required to use a white front light and red rear light (on their bicycle or person) as well as a red rear reflector on their bicycle. Side reflectors are recommended for wheels.
- C. City ordinances require that bicycles be equipped with a bell or horn by which the rider may warn pedestrians of his/her approach.
- D. Bicycles must normally be ridden on the right side of roads and sidewalks at a reasonable and safe speed (for the sake of pedestrians and drivers as well as that of the rider). Pedestrians have the right-of-way on sidewalks, pathways, and crosswalks.
- E. Bicyclists must use appropriate hand signals to indicate turns when riding.
- F. Cyclists must comply with the Oberlin City ordinances that directly affect the operation of bicycles in the city. (It is a violation to ride a bicycle on the sidewalks in the downtown area.)
- G. Both on campus and in the City, bicycles may ONLY be parked in properly constructed racks. Recommendations on locking bicycles can be obtained from the Office of Safety and Security.
- H. Bicycles not in use but not removed from campus or, improperly registered and stored with Residential Education invite theft and vandalism. Bicycles not removed and/or properly stored by the day after final exams (unless in active use by students on campus for summer employment) will be considered abandoned property. (Bicycles not in working condition for a period of more than two weeks are considered abandoned even during the semester.) If removed and stored by Campus Safety and Security, a fee of \$50.00 will be charged for not properly storing the bicycle. Any bicycles not claimed after September 30th of the following year will be disposed of by Oberlin College.

students' rights and responsibilities (cont.)

Y. Mailroom Regulations

A mailbox is assigned to each student at the beginning of the academic year. Boxes are located in the basement of Wilder Hall, in the area occupied by the College Mail Service.

College Mail Service's student mailboxes are to be **used only for campus mail, U.S. Postal Service mail (personal mail), and mail notices regarding parcels.** To permit matching mail with a mailbox, all mail delivered to OCMR boxes must display the student's first and last name as registered in the Registrar's office (no nicknames) and the proper OCMR box number. All items must be placed inside student mailboxes. Mail should be picked up daily.

Messages should *NOT* be attached to the outside of student mailboxes in the lobby of the College Mail Service. Doing so violates fire regulations and creates a fire hazard in the Student Union building. The College reserves the right to correct fire regulation violations or other violations of its agreement with insurers.

There is a charge for **10 or more** pieces of **personal** mail between students per day.

Students should receive mail at the College **ONLY** during the academic semesters or year of attendance. It is the student's responsibility to notify each correspondent of the complete change of address at the end of the academic semester or year of attendance, or if leaving during the year or semester, i.e. withdrawn, enrolled off-campus, leave of absence.

Z. State Laws Governing Coin Machines

Section 2911.32 Tampering with coin machines. No person, with purpose to commit theft or to defraud, shall knowingly enter, force an entrance into, tamper with, or insert any part of an instrument into any coin machine.

Whoever violates this section is guilty of tampering with coin machines, a misdemeanor of the first degree. If the offender has previously been convicted of a violation of this section or of any theft offense as defined in section 2913.01 of the Revised Code, the offense becomes a felony of the fourth degree.

AA. Student Records

1. Pursuant to section 438 of the General Education Provisions Act, with the exceptions noted in item 2 below, Oberlin College students presently or formerly enrolled* shall have the right to review and inspect educational records maintained by the College that contain information directly related to the student.

**Enrollment is defined as beginning when the student first attends classes at Oberlin College for credit. No special student applying for admission to the College of Arts and Sciences and the Conservatory of Music, nor a student transferring from one division to the other, may see his/her admission file until he/she is admitted.*

2. Exceptions are as follows:

- A. Financial records of the student's parents and/or any information contained therein shall not be open to inspection by the student.
- B. Confidential letters and statements of recommendation that were placed on file before January 1, 1975, shall not be open to inspection.
- C. Files maintained by individual faculty and staff which are the sole possession of the maker and which are not accessible or revealed to any person except a substitute.
- D. Material considered to be privileged medical and psychological information shall not be open to inspection. The student, however, is entitled to have these records personally reviewed by a physician or other appropriate health care professional of the student's choice.

3. Offices keeping records that may be reviewed by the student are Career Services, College Relations, the Conservatory, Financial Aid, the Registrar, the Dean of Students, Residential Education and Dining Services, and Student Academic Services.

4. Students may waive their right of access by attaching to or writing on the document in question the following statement:

"I hereby waive my right of access to this document now or at any time in the future. I do so with the full understanding that a waiver may not be required as a condition for admission, or receipt of financial aid or any other service or benefits of the institution."
(Signature must follow.)

5. In order to inspect material in his/her file, the student must make a written request to the supervisor of the office in which the file is kept, if required to do so by the supervisor. Steps will then be taken as soon as possible, and in all cases within no more than 45 days from the date of the request, to make the requested material available in an appropriate office in Oberlin.

- A. The right of inspection includes the right to receive a copy of any and all inspected documents at the student's expense. A fee schedule, covering administrative costs, will be available in the office where student records are kept.

B. The right of inspection includes the right to be informed of the titles and originators of all documents in the student's file whether or not they are open to inspection by the student.

6. If a student wishes to challenge the accuracy of any material after inspecting it, he/she may do so, either by inserting a written statement in the file or by requesting a hearing. Any such request must be made in writing to the supervisor of the office in which the file is kept and will be granted within 45 days at the most.

The Dean of Students will appoint a three-member committee consisting of a departmental chairperson, a faculty member, and an administrator (normally the Dean of Students) to conduct the hearing. During the academic year, when students are in residence, the Dean will select one student to be added to the membership of this committee.

7. In cases such as letters of recommendation, where the material in the student's file was originally included specifically at the request of the student and not on the initiative of the College as a regular part of its record keeping, either the student or the originator of the material may have it withdrawn from the student's file at any time. In either instance, Reference Services (located in Peters G28) will notify the student and the writer of the letter that the letter has been withdrawn.

8. No records pertaining to the student shall be released to individuals or organizations without the student's written request or consent except:

A. Authorized College personnel within Oberlin College who have legitimate educational interests. In addition to the staff members of the offices involved, other persons who occasionally have reason to examine records include the Office of the Dean of the Conservatory, Office of the Registrar, Office of Residential Education & Dining Services, the student's faculty advisor, individual faculty members who have been asked to write a recommendation for the student, members of the administrative and professional staff, or administrative and technical assistants acting on their behalf from the Dean of Students Office, Financial Aid, the Counseling Center, Student Academic Services, and the Office of the Dean of Studies.

B. Authorized representatives of (i) the Comptroller General of the United States, (ii) the Secretary, (iii) an administrative head of an education agency (as defined in section 409 of this Act), or (iv) State education authorities, under the conditions set forth in paragraph (3), which are state agencies that audit, evaluate, and enforce federal legal requirements in connection with federally supported programs.

C. In connection with an application for, or receipt of financial aid.

D. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and if such information will be destroyed when no longer needed for the purpose for which it was conducted.

E. Accrediting organizations, in order to carry out their accrediting functions.

F. Directory information, that is, information that the College has the policy of announcing publicly. "Directory Information" includes the student's name, address, telephone listing, major field of study, participation in recognized activities and sports that officially represent the College, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

HOWEVER, ANY STUDENT MAY REFUSE TO HAVE THIS INFORMATION RELEASED IF HE/SHE NOTIFIES THE REGISTRAR IN WRITING ON OR BEFORE THE END OF THE SECOND WEEK OF HIS/HER FIRST SEMESTER IN RESIDENCE DURING A GIVEN ACADEMIC YEAR OR ON OR BEFORE THE END OF THE SECOND WEEK FOLLOWING A MID-YEAR CHANGE OF COLLEGE ADDRESS.

G. Information, the knowledge of which is necessary to protect the health or safety of the student or other persons.

H. In compliance with judicial order, or pursuant to any lawfully issued subpoena. The College will use its best efforts to notify the student before it responds to an order or subpoena.

9. All Oberlin College offices that maintain educational records on individual students shall keep records of all cases in which documents in students' files are examined or an examination is requested by persons not authorized to have access to the records. Records shall include the following: date when the file was examined, by whom (name and title), and for what legitimate educational purpose. These records shall be open to inspection by the student. Those inspecting the file shall be informed that information therein may not be disclosed to another party without the written consent of the student.

students' rights and responsibilities (cont.)

BB. Rights of Students with Disabilities

The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations. An individual is considered to have a disability if that individual either 1) has a physical or mental impairment that substantially limits one or more of that person's major life activities, 2) has a record of such impairment, or 3) is regarded as having such impairment.

The ADA further prohibits retaliating against an individual for asserting his/her rights under the ADA. The Act also makes it unlawful to discriminate against an individual, whether disabled or not, because of the individual's family, business, social, or other relationship or association with an individual with a disability.

It is the policy of Oberlin College not to discriminate against individuals with disabilities – but who are otherwise qualified – in administering educational policies, employment policies, scholarship and loan programs, and athletic and other College-administered programs.

It is further the policy of the College to enable those individuals with disabilities to participate as independently as possible in Oberlin College activities so that campus life will be enhanced and the individual lives of members of the College community will be enriched.

Oberlin College resolves to make reasonable efforts to see that the opportunities it offers are accessible to all qualified individuals. Appropriate academic adjustments and modifications of policies and procedures will be implemented for students with disabilities.

In addition, Oberlin College adheres to the policies and procedures and Section 504 of the Federal Rehabilitation Act of 1973, which reads:

“No otherwise qualified handicapped individual... shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

In April of 1977, the Department of Health, Education, and Welfare issued a regulation that defines handicapped persons as those individuals who have a physical or mental impairment that substantially limits a major life activity, and generally requires that “each

program and activity, when viewed in its entirety, is readily accessible to handicapped persons and is offered in the most integrated setting appropriate.” Specific requirements of interest to handicapped students include the following (in summary form).

1. ADMISSION TO CLASSES

Institutions may not, on the basis of handicap, exclude a qualified disabled student from any course or area of concentration. This provision requires that some classes may have to be relocated, and some laboratory equipment may have to be modified to accommodate the needs of a qualified disabled student, and that auxiliary aids must be permitted in the classroom when they are necessary to ensure the full participation of a disabled student.

2. ACADEMIC REQUIREMENTS

Instructors are obligated to make changes in course requirements if necessary to ensure that such requirements do not discriminate against a qualified disabled student. Similarly, the faculty must alter or waive any requirement for a major or a College degree that has the effect of discriminating against a qualified handicapped student. Examples of such modifications may include changes in the length of time permitted for completion of requirements, or providing an alternative for particular laboratory assignments or field trips. If a requirement is essential to a course, major or degree, and a handicapped person cannot fulfill it, then the person is not “qualified” within the definition of this term.

3. OTHER ADJUSTMENTS

Prohibitive rules, which would have the effect of limiting the participation of a disabled student in campus activities, must be waived for the disabled student. Such rules include a ban on having a service animal in classrooms or residence halls, or on using a tape recorder in a classroom or during guest lectures. If an instructor is concerned about possible misuse of recordings of lecture material that will be published or otherwise protected by copyright, the instructor may ask a student to sign a form (available from the Coordinator of Services for Students with Disabilities) on which the student agrees that any recordings will be used only for his/her own personal study.

4. EXAMINATIONS

If necessary, course instructors are obligated to provide alternate testing procedures for a student with a disability, so that the results of the evaluation represent the student's achievement in the course, rather than the student's impaired sensory, manual, or speaking skills (except where skills are the specific factors being measured).

5. COUNSELING

A student with a disability may not be counseled toward a more restrictive career than would be suggested for a non-disabled student, unless such counsel is based on strict licensing or certification requirements in a profession.

6. PROCEDURES

Specific procedures for students with disabilities to receive accommodations are available through the Coordinator of Services for Students with Disabilities in Student Academic Services, Peters G 27.

7. STUDENT APPEAL

The College provides, as required, an internal procedure through which a student may appeal an adverse decision on a request for some academic adjustment. (See section CC below).

Further information about the Section 504 Regulation, and about auxiliary services that are available for disabled students, may be obtained from the Coordinator of Services for Students with Disabilities and from the Section 504 and ADA Compliance Officer, Cheryl Wolfe-Cragin.

CC. Grievance Procedures

As a first step, students are urged to go directly to the person(s) concerned and discuss the source of their problem as openly as possible. If this confrontation of the difficulty and airing of a grievance leads to no resolution, or when it seems inappropriate, a number of formal and less formal avenues are open to students, depending upon the nature of the complaint. These are outlined below. At times, a grievance may involve a number of different areas and students may feel uncertain which procedure to follow; in this case they should seek advice from the Office of the Dean of Students, The Office of the Ombudsperson, or the deans of Residential Education and Dining Services. At any stage in the process students are welcome to seek counsel and support from members of the faculty or staff as well as the student body, and should feel free to bring an advisor to any meetings they may have as part of an adjudication process. Some suggestions are made under the following sections.

1. GRIEVANCES RELATED TO ACADEMIC AFFAIRS OR OTHER MATTERS INVOLVING THE TEACHING FACULTY

- A. A student with a complaint should first attempt to resolve the issue through discussion with the instructor.
- B. If this fails to resolve the issue, the student may present the grievance to the director of the division, or the chair of the department or program, and request his/her assistance in resolving the issue.

C. If the director of the division or the chair of the department or program is unable to resolve the matter, the student may present the complaint to the Associate Dean of the Conservatory or to the Dean for Arts and Sciences, as appropriate to the faculty appointment of the instructor. The Dean will invite the opinions of all parties involved, will ascertain matters of fact, and will make a determination about the disposition of the matter. Final judgment rests with that Dean.

D. In matters of academic dispute, students may find it useful and appropriate to consult with their academic advisors and/or a dean in the Office of the Dean of Studies. Students studying applied music in the Conservatory should present their grievances to the Associate Dean of the Conservatory.

2. GRIEVANCES RELATED TO SEXUAL HARASSMENT

Complaints of sexual harassment, whether by students or non-student members of the community, may be taken to the Sexual Offense Policy Administrator. (See Students' Rights and Responsibilities, Section V., J.).

3. GRIEVANCES RELATED TO RACE RELATIONS

Complaints of racial harassment, whether by students or non-student members of the community, may be taken to a member of the Committee on Racial Harassment. (See Students' Rights and Responsibilities, Section V., H.).

4. STUDENT INFRACTIONS OF THE HONOR CODE

Any form of academic cheating should be referred to the Student Honor Committee. (See Students' Rights and Responsibilities, Section I.).

To report a suspected violation of the Honor Code, or to ask questions about how the Honor System functions, contact:

Student Honor Committee
 Wilder Hall Suite 105/ Student Union Box 22
 440) 775-8462
 ohonor@oberlin.edu
 Co-Chair, Lauren Shuler
 Co-Chair, Paul Gibson
 Secretary and Treasurer, Allison Pickett

5. NON-ACADEMIC COMPLAINTS AGAINST STUDENTS REQUIRING ADJUDICATION AND POSSIBLE DISCIPLINARY ACTION

(Violations of the Student Regulations, of College policies, or of the tenets of the Constitution of the Association of Students and its student governing bodies.)

Complaints may be brought before the all-student Judicial Board by filing a complaint with the Judicial Coordinator in the Dean of Students Office. (See Students' Rights and Responsibilities, Section IV., F.). Students are encouraged to seek the advice of the

students' rights and responsibilities (cont.)

Judicial Coordinator at any time. Where both parties agree to this, complaints can often be mediated rather than handled through formal adjudication.

6. COMPLAINTS OF DISCRIMINATION

(Complaints based on a person's sex, race, color, creed, age, physical handicaps, veteran status, religion, sexual orientation, marital status, family relationship to an employee of Oberlin College, political orientation, national origin, etc.)

Oberlin College recognizes its legal obligation to comply with the letter and the spirit of Titles VI and VII of the Civil Rights Act of 1964 as amended; Title IX of the Education Amendments Act of 1972 as amended; Section 504 of the 1973 Rehabilitation Act as amended; the Americans with Disabilities Act; the Age Discrimination in Employment Act of 1967 as amended; the Pregnancy Discrimination Act of 1978; and other applicable federal, state, and local legislation and regulations. The College is committed to a policy of nondiscrimination toward its students and its employees. (See Students' Rights and Responsibilities, Section V., H.).

Grievances related to any of the above may be handled as follows:

- A. Complaints of alleged discrimination in academic affairs.
- B. Complaints of alleged discrimination in non-academic matters. These should be taken to the immediate supervisor of the person concerned (if a student or non-student employee of the College), or to the head of or advisor to any student organization. If the matter cannot be resolved at this level, it should then be referred to the Office of the Dean of Students.

The Office of the Dean of Students may attempt to resolve the dispute by informal means, but if this is not successful, the dean may invite two persons from the faculty and/or administration to join him/her in forming a committee to hear the dispute. During the academic year, when students are in residence, the Dean will also invite a member of the student body to join the review committee. Members of the committee will be selected at the discretion of the Office of the Dean of Students from areas of College life appropriate to the issues involved. The committee may forward its recommendation either to the person against whom the complaint has been brought or to the appropriate College officer, and ultimately the President.

Students are encouraged to seek the advice of a dean in the Office of the Dean of Students, an official in the Office of Equity Concerns, or any other person, as may seem appropriate.

7. GRIEVANCES UNDER SECTION 438 OF THE GENERAL EDUCATION PROVISIONS ACT ("BUCKLEY AMENDMENT")

Rights to review and inspection of educational records maintained by the College that contain information directly related to the student. (See Students' Rights and Responsibilities, Section V., AA.).

8. GRIEVANCES AGAINST OFFICERS OF STUDENT ORGANIZATIONS AND GOVERNING BODIES

Such grievances should be taken first to the executive body of the group concerned. Students are encouraged to consult with the advisor of the organization. In some cases complaints of this nature may appropriately be brought before the Judicial Board for final adjudication, but they are most often effectively dealt with by the internal procedures of the organization itself.

9. COMPLAINTS RELATED TO HEALTH SERVICES OR OBERLIN COUNSELING CENTER

Complaints may be taken to any faculty or student member of the Health Plan sub-committee of the Committee on Student Life. Complaints concerning services provided by the Student Health Services or the Oberlin College Counseling Center may be initiated by pursuing any of the following options: (1) the student may discuss his/her complaint directly with the health care professional concerned; (2) the student can request that a Health Plan Sub-Committee member discuss the complaint with the health care professional and inform the student of the outcome; (3) the student may request that a Health Plan Sub-Committee member be present when he/she discusses the complaint with the health care professional concerned; (4) the student may request that the Health Plan sub-committee assign a second health care professional to conduct an informal inquiry into the complaint and report back to the student; (5) the student may request that a formal inquiry of the complaint be conducted.

10. GRIEVANCES RELATED TO THE ADMINISTRATION OF HOUSING AND DINING POLICIES

- A. Students who have requested exception to Housing and Dining policy and have had this request denied by the Assistant Director for Housing Administration may appeal the decision to the Appeal Board of the Housing and Dining Committee. All appeals must be submitted in writing to the Board in care of the Office of Residential Education and Dining Services. Students may request that their name remain confidential from members of the Appeal Board. The Appeal Board will hear a case within 30 days of receipt of the appeal or, if the appeal is received after December 1 or May 1, within 30 days after the beginning of the next semester.

B. The Appeal Board will be furnished the student's original request for exception and the Assistant Director's letter of denial. Members of the Appeal Board will gather at the appointed place and time and conduct the business of the Appeal Board. The chairperson of the Appeal Board will indicate whether additional information is needed from the student, ask the Office of Residential Education and Dining Services for information related to the case, including the relevant policy, and will then call the Board into session. A student has the option of attending the appeal meeting to make an oral request to supplement the written request and/or respond to questions.

C. The function of the Appeal Board is to hear and act on grievances related to the administration of housing and dining policies, not to change policy. If the Board decides that the student has been dealt with unfairly with regard to process, it may overrule the judgment made by the Director of Residential Education and Dining Services or the Assistant Director for Housing Administration.

D. The action of the Board will become effective when the Board or its chairperson reports the judgment of the Board in writing to the Director of Residential Education and Dining Services or the Assistant Director for Housing Administration within 48 hours.

E. The Director or Assistant Director may request a meeting with the Appeal Board to reconsider a case to clarify the distinction between policy and process. The judgment of the Board, however, will be final in all cases and will be sent to students in written form within 48 hours of a final decision.

11. GRIEVANCES RELATED TO PROCEDURES OR BILLINGS OF THE OBERLIN STUDENT COOPERATIVE ASSOCIATION

A. A student with such a problem should first bring it to the treasurer of his/her individual co-op, or to the OSCA treasurer for resolution.

B. If this does not result in resolution, the student may appeal to the OSCA financial manager.

C. The student may make a final appeal to the OSCA Board.

12. SERVICES PROVIDED BY THE OFFICE OF THE OMBUDSPERSON

A. The ombudsperson can listen, offer information about Oberlin's policies and procedures, accept suggestions from people who seek confidential channels for raising responsible concerns, and work for orderly and responsible change in systems.

B. The ombudsperson is a good source of support for those who may want to examine their options for dealing with a particular concern or who may wish to learn how to resolve problems on their own.

C. The office provides feedback on trends issues, policies, and practices equitable to all parties without breaching confidentiality.

D. The ombudsperson does not act as an advocate for either side in dispute, but strives to consider and fairly present all sides of a situation.

DD. Title IX Athletic Policies

1. OBERLIN COLLEGE STATEMENT ON NON-DISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND AFFIRMATIVE ACTION

"In all of its relationships, Oberlin College is committed to a policy of non-discrimination and equal employment opportunity for all persons without regard to race, color, national origin, religion, creed, age, sex, sexual orientation, marital status, family relationship to an employee of Oberlin College, disability, or veteran status, except where such a distinction may be required by law or is proved to be a bona fide occupational qualification. Any form of intimidation, abuse, or harassment based on race, ethnic origin, creed, disability, gender, or sexual orientation is contrary to the ideals of Oberlin College. In furtherance of its policy of non-discrimination and equal employment opportunity, Oberlin College has adopted an affirmative action plan and complies with the following laws and regulations: The Equal Pay Act of 1963 as amended; the Age Discrimination in Employment Act of 1967 as amended; Title IX of the Education Amendments Act of 1972 as amended; the Pregnancy Discrimination Act of 1978; the Americans with Disability Act; Title VI of the Civil Rights Act of 1964; Title VIII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; and all other applicable federal, state, and local legislation and regulations ..."

2. OBERLIN COLLEGE STATEMENT ON TITLE IX AND COLLEGE ATHLETICS

Among the many educational goals Oberlin College has for its students is "to encourage their physical and mental well being" (Oberlin College General Faculty, 1977). The College views the opportunity for its students to participate in intercollegiate sports as a valuable means by which to accomplish the aim of physical well being; and is also committed to administering its athletic program in a manner which is gender equitable. Therefore, Oberlin College does not discriminate on the basis of gender in its intercollegiate athletic program.

students' rights and responsibilities (cont.)

The fundamental principle underlying gender equity in athletics is that all sports programs are funded in a manner to ensure equal access, participation, and support for men and women alike.

Title IX and gender equity (in athletics) are often used interchangeably; however, although they address the same issue, they are not the same. Title IX refers to a section of federal law, The Education Amendments of 1972, which prohibits discrimination on the basis of sex in educational institutions that receive federal funds. Since intercollegiate athletics is considered an integral part of an institution's educational programs, it is therefore covered by Title IX.

The concept of gender equity is broader. It is premised on a philosophical or moral approach to the distribution of resources and its focus is fairness. The NCAA Gender Equity Task Force offers the following definition of gender equity in college athletics to which the College subscribes: "At an institutional level, gender equity in intercollegiate athletics describes an environment in which fair and equitable distribution of overall athletics opportunities, benefits and resources is available to women and men and in which student-athletes, coaches, and athletics administrators are not subject to gender-based discrimination."

3. THE ROLE OF ATHLETICS AND PHYSICAL EDUCATION AT OBERLIN COLLEGE

The Department of Athletics and Physical Education provides a multi-faceted program including activity classes, intramural sports and activities, and intercollegiate athletics to accommodate all levels of physical activity. The various intercollegiate sports have comparable status. For all members of the College community, the Department encourages and supports equal opportunities for regular physical activity that is crucial to physical and mental wellbeing.

By design, activity classes develop skills ranging from beginning to advanced levels in a variety of individual and group sports. Emphasis is placed on the use of recreational time, the enjoyment of lifetime physical exercise, and the broad-based participation of the whole student community.

The intent of intramural sports is to promote an appropriate level of competition within the College community for students, faculty members, and staff alike. For students, intramural participation is a natural extension of activity classes. Intramurals should encourage cooperation, intra-college socialization, and respect for teammates and opponents.

Intercollegiate athletics provide opportunities for skilled student athletes to pursue excellence and to experience development through competition with comparable programs. The role of intercollegiate athletics at Oberlin

is complementary to academics and significant in the overall developmental process. Oberlin's philosophy of competition embraces a healthy view of winning and an educational view of grace under pressure. Winning is an important goal. The effort and dedication of student athletes and coaches as well as the active support of the rest of the College community are, however, as important as the final score. Supervision of the policies and procedures of the intercollegiate athletics program resides with the General Faculty and its designated agent, the Athletic Advisory Committee.

4. TITLE IX RELATED GOALS OF THE PROGRAM

In accord with its stated mission concerning its intercollegiate sports program, the College establishes the following Title IX goals:

a. The accommodation of interest and abilities

The College will meet at least one of the following three criteria:

- 1) Participation proportionate to enrollment (by sex).
- 2) Establishment of a history and continuing practice of program expansion for the underrepresented sex.
- 3) Full and effective accommodation of the underrepresented sex.

b. Equipment and supplies

The College will ensure that the quality, suitability, maintenance/replacement and availability of equipment and supplies are equitable.

c. Scheduling of games and practice times

The College will ensure fairness in the number of games; number, length, and time of day of practices; time of day of games; pre-season and post-season opportunities for its teams.

d. Travel and per diem allowance

The College will ensure that budgeting for the modes of transportation, housing furnished during travel, length of stay before and after competitive events, dining arrangements and per diem are equitably distributed.

e. Coaches

Each of the following three areas related to coaching will be addressed equitably:

- 1) Availability.
- 2) Assignment.
- 3) Compensation.

f. Locker rooms, practice and competitive facilities

The quality, availability, and exclusivity of practice and competitive facilities plus the quality and availability of locker rooms and finally the maintenance and preparation of practice and competitive facilities will all be addressed equitably.

g. Medical and training facilities and services

Availability will be equitable in each of the following areas:

- 1) Medical personnel.
- 2) Quality of weight training and conditioning facilities.
- 3) Qualifications of athletic trainers.
- 4) Health, accident, and injury insurance coverage.

h. Housing and dining facilities and services

Housing provided, special services as a part of housing, and all dining arrangements will be equitable.

i. Publicity

The College will ensure that the availability and quality of sports information personnel and the availability and quality of publications and other promotional devices is equitable. Any access to other publicity resources will also be equitably distributed.

j. Support services

All administrative, secretarial, and clerical support and office space will be equitably arranged.

k. Recruitment of student athletes

There will be equal opportunities for professional personnel to recruit. In order to accomplish this, the availability of financial and other resources for recruitment will be equitable. It is expected that there will be equivalent benefits, opportunities, and treatment of all prospective athletes.

5. ADMINISTRATION OF TITLE IX

The Title IX Coordinator oversees matters related to federal compliance. The Oberlin College Gender Equity in Athletics Review (GEAR) Committee* monitors the conditions and treatment of student-athletes.**

The College Athletics Committee serves as the designated agent of the General Faculty on matters related to supervision of policies and procedures of the intercollegiate athletics program. The Director of Athletics coordinates all activities of the department. The Director of Athletics designates a person on the athletics staff who is knowledgeable about Title IX athletics to administer the Title IX policy. The Director of Athletics also designates a person on the athletics staff to serve as the Senior Woman Administrator. This person will:

- A. Be the key voice on women's issues related to athletics.
- B. Assist in the development and implementation of a gender-equity action plan; as well as be involved in monitoring the activities for the implementation of the plan.

C. Convey to others the needs and interests of women within the intercollegiate athletics department, the campus and the community.

** Composed of the Title IX Coordinator ex officio, the Director of College Athletics ex officio, the Dean of the College of Arts and Sciences, the Chair of the College Athletics Committee of the General Faculty, the Senior Woman Administrator, the Athletics Department's Title IX Administrator and the Chair/Co-chairs of the Student Athletic Committee.*

*** It should be noted that GEAR differs from the Athletics Committee of the General Faculty. The General Faculty committee serves as liaison between the general faculty and the Athletics and Physical Education Department and makes athletic policy recommendations both to the Department and the General Faculty; whereas GEAR has a specific charge to monitor conditions and treatment of student-athletes in light of the requirements of Title IX, and other regulatory agencies.*

6. GRIEVANCE PROCEDURE

Any person with a request or concern relating to athletics should, under normal circumstances, first address the concern directly and verbally with the appropriate person. (In the case of a varsity sports participant, the athlete should talk first with his/her coach.) Should there continue to be a concern, it should next be submitted to the Director of Athletics and/or the Senior Woman Administrator in writing on one of the departmental complaint/concerns forms available in the Athletics Office.

Should the request/concern not be reasonably resolved by the Director of Athletics or his/her designee, a complaint can be submitted to the Title IX Coordinator, who will investigate the matter. Should informal procedures not resolve the complaint, the matter will then be submitted for a formal review by a panel of three of the members of Oberlin College Gender Equity in Athletics Review (GEAR) Committee.

housing and dining regulations

Housing and Dining Regulations

A. Principles

Tuition charges provide for the college's academic program; room and board fees provide a residential setting for that program. Tuition fees pay the salaries and benefits of faculty and staff members, and provide for a wide range of facilities and programs – libraries, laboratories, an art museum, a music conservatory, athletic facilities and a student union – all of which make the context for a liberal arts education. Therefore, all students are charged the same comprehensive tuition regardless to what extent any individual uses particular programs or facilities.

Room and Board fees pay for the staff, programs, and facilities that sustain a full and secure living environment for a residential college with a geographically diverse student population as well as College overhead costs. Because a college of Oberlin's size and scope could not exist without a complete housing and dining structure, residential fees are comprehensive for all students regardless of how individual services may or may not be used. Therefore, all students enrolled in Oberlin College are required to pay the room and board fees and to live and take meals in College housing and dining halls. College housing includes College and OSCA residence halls and College Village housing.

The principle of this agreement is that the products of both tuition and room and board fees are essential elements for an undergraduate, residential, liberal arts college. Therefore those fees are comprehensive in scope and required equally of all students. Unless a student has an exemption or is released to town housing, the only way these charges can be reduced is through a financial aid grant administered by the Office of Financial Aid.

The following terms and conditions summarize the agreement between Oberlin College and an enrolled student regarding housing and dining assignments. In addition, it is understood that all enrolled students must abide by all policies and procedures as established by the appropriate Oberlin College committees and offices. The complete Student Regulations: Policies and Procedures is available on-line at <http://www.oberlin.edu/students/links-life/rules-regs.html>.

B. Terms

1. ELIGIBILITY AND REQUIREMENTS

All students are expected to live and take meals on campus unless they receive a written notice of off-campus status by the Assistant Director for Housing Administration. Students should not sign an off-campus rental lease or pay a security deposit without this notification. **Any student who remains enrolled**

in the College, but leaves College housing and/or dining during the academic year without official notice, continues to be liable for charges for the full academic year. Students who accept off-campus status and then choose to return to College Housing will be eligible to select only from housing available at the time of their return.

All students are expected to live in College Housing for eight semesters of full-time study or through the junior year for transfer students. A pre-determined number of students (based on anticipated enrollment) who meet the six-semester residency requirement will receive off-campus (town) housing. If the number of requests exceeds the number of students able to live off-campus a lottery system will be implemented. The lottery is based on the number of semesters in residence and a computer generated random number. Lottery numbers will be assigned to each person within each semester of residency category.

Students who have been on an approved Academic Leave of Absence (ALOA) or have lived off-campus with official notification will receive residency credit. Students who have been on a Personal Leave of Absence (PLOA) or a Medical Leave of Absence (MLOA) will not receive residency credit for those semesters away. Transfer students can receive up to four semesters of residency credit, depending upon their matriculation status at Oberlin.

Students who receive off-campus status are still required to participate in the College board program. In addition, students who receive off-campus status are required to submit their off-campus address and phone number to the Department of Residential Education and Dining Services. **Failure to turn in this address may result in forfeiture of off-campus status.**

a. Housing & Dining Exemptions

Students in the following categories may be exempted from the college publicized housing and/or dining requirement, if exempt status is requested by the College's publicized deadlines for each semester or academic year.

- (1) Married students who submit a copy of their marriage license and domestic partners who submit the approved Affidavit Concerning Relationship and supporting documentation.
- (2) Students who live with their parents and commute from their parents' home within a 50-mile radius of Oberlin and have a minimum of six months established residency. Proof of residency is required by the publicized deadline.
- (3) Students who are 23 years of age or older.
- (4) Students who are enrolled for five hours or fewer.

- (5) Students who have underage dependent children.

Any student who has been granted an exemption who subsequently elects to participate in a College Housing and/or dining program is committed to that service for the academic year or the remaining portion thereof.

b. Accommodations

The Office of Residential Education understands that some students may have a medical condition that requires a special housing and/or dining accommodation. Students who have special needs for housing and/or dining can contact their Class Dean for an application packet. The required documentation must be submitted by the publicized deadline, which can be found at <www.oberlin.edu/resed/>. The College will make all efforts to provide appropriate accommodations.

c. Fees

Students are liable for all room and board charges until and unless they are granted a housing or dining exemption in writing from the Department of Residential Education and Dining Services, after which an appropriate adjustment will be made. The Department of Residential Education and Dining Services cannot consider individual financial concerns in determining assignments. Non-payment of room and board fees cannot be used as a form of financial aid. The Office of Financial Aid is the only office that can fairly and equitably administer financial aid.

2. TERM OF SERVICE

Occupancy of College housing begins for new students the day of Orientation, and for returning students two days before the start of classes. Occupancy ends for undergraduates at 9:00 a.m. of the day following the last day of exams, and for graduates by 9:00 a.m. on the day of Commencement. Meal service begins with lunch two days before classes begin (or the first day students are permitted to return) and ends with dinner on the last day of the semester. Students may not arrive early or depart late without written permission from the Department of Residential Education and Dining Services. A sliding scale fee will be assessed based upon the date on which a request was made and the number of days approved to arrive early or stay late.

Room and Board fees provide furnished rooms in College-maintained housing and meal service for the fall and spring semesters or the remaining portions thereof. The terms of the housing contract include fall break, winter term, and spring break. Residence halls are closed for winter shut down; however, students may continue to reside in Village Housing. Housing assignments are for the full academic year, or the remaining portion thereof including January's winter term.

The terms of the dining contract do not include fall or spring break as all campus dining facilities are closed. Meals are offered on an optional basis during winter term at an additional charge. A valid ID card is required for access to residential buildings and dining halls.

3. PAYMENT OF FEES

Fees are set each year by the College and approved by the Board of Trustees and are payable at the start of each semester; they are included in the statement sent by the Office of Student Accounts. Charges for students who leave the housing and/or dining program are billed at the rate of 10 percent of the semester charge for each week or a fraction thereof in residence. There is no refund after the ninth week of the semester.

C. Conditions

1. ASSIGNMENTS

The Office of Residential Education assigns rooms to new students on the basis of the housing application. The College currently provides single-sex, co-ed, and all-gender housing options for students. In order to provide students with more open accessibility to housing, the College is moving to replace co-ed and all-gender housing with gender-blind housing. Gender-blind housing provides an opportunity for enrolled students of any gender identity (male, female, transgender, those who do not identify, etc.) to live together in rooms, floors, wings, or buildings. Designations of single-sex and gender-blind housing will be reviewed on an annual basis by the Housing and Dining Committee.

Returning students select housing based on a re-assignment system approved by the Housing and Dining Committee that gives priority to students based on the number of semesters lived on campus, group applications (for two or more people) over individual ones, and a randomly assigned number.

a. Waitlists:

Students who accept an assignment but would prefer another housing and/or dining situation may be placed on a waiting list for which priority is based on the established seniority system.

b. Academic Year Assignment:

Since all assignments are for the academic year, any student enrolled for the fall semester who wishes to live off campus during the spring semester must live off campus for the entire academic year. Continuing students will not be granted off campus status for the spring semester, even if they achieve the residency requirement. Student returning from leave spring semester will **not** be granted off-campus status, unless they were eligible and received off-campus status in the previous spring's housing selection process.

housing and dining regulations (cont.)

2. PERSONAL USE AGREEMENT

The resident agrees that the housing assigned shall be used by him/her and may not be transferred or assigned to another person. Residents may not be assigned to more than one space at the same time, nor may a resident occupy more than one space at the same time. The space may not be sublet. Further, the resident agrees that the space will be used for personal living, sleeping, and studying and that no commercial operation, solicitation, canvassing, sales, or advertising will be conducted out of the assigned space.

3. RIGHTS RESERVED BY THE COLLEGE

The College at all times reserves the right to assign or reassign students to a housing space, including temporary space(s) in lounges, and to close rooms and/or facilities when vacancies exist or when areas are rendered unfit for occupancy. Agents of the College shall have the right to enter College Housing at all reasonable hours for the purpose of examining the spaces or making repairs or alterations as necessary for safety and maintenance. The College reserves the right to conduct life safety inspections as necessary, without prior notice, to identify and correct life safety violations. **Residents are responsible for understanding and complying with procedures included in any residential handbook and with the Social Conduct Standards and Housing and Dining Regulations as stated in *Student Regulations, Policies, and Procedures*.** Behavior that threatens or endangers the well-being of others or substantially interferes with the rights of others may result in room transfer or eviction.

4. HOUSING ASSIGNMENT CHANGES

Residents who wish to change rooms should contact the Resident Director of the building to which they would like to move. The Resident Director must approve the room change in writing prior to moving from one assignment to another. As space becomes available, residents who apply for assignment changes will be contacted and be provided with procedural instructions. **Residents who complete an unauthorized housing change or fail to complete an approved housing change may lose their preferred room assignment, be required to relocate, be charged a fine, and/or be subject to disciplinary action.** Residents whose assignment changes are authorized at the end of fall semester must vacate their current assignment prior to leaving Oberlin in December. This regulation applies even if those students plan to be on campus during Winter Term. Students are given 48 hours to completely move out of their rooms and sign all administrative paperwork. Room changes are granted on a first-come, first-served basis.

5. REMAINING OCCUPANT

When vacancies occur in College Housing spaces, the College has the right to show these spaces and assign new occupants to fill these vacancies. The College also reserves the right to reassign the remaining occupant of a housing space to different accommodations. **If a resident has a roommate who fails to move in, leaves the College, or moves to other College housing, the remaining resident must accept a new roommate or make a housing change within ten business days.** After 10 business days, the College may consolidate assignments, assign new roommates to the empty space(s), or bill the resident at the established buy-out rate. Students with the highest priority (semesters-in-residency/random number) will have the first option to occupy multiple spaces without roommates.

6. STORAGE OF PERSONAL BELONGINGS

All campus storage is limited and available on a first-come, first-served basis. As a courtesy, residents who are continuing in College housing are permitted to store some of their belongings over the summer. In all storage areas there is a five-item limit including trunks, luggage or boxes. All items stored in College storage must meet UPS shipping requirements and must include an identification tag, which will be provided when you arrive at storage.

Village housing residents or students taking a leave from campus (including study abroad) may store belongings for a maximum of one year in long-term storage located in East Field. This is the **ONLY** location available to these students. Resident-owned furniture, refrigerators, rugs, empty boxes, etc., may not be stored in College storage areas. The College will dispose of unauthorized items in storage or possessions left more than one year. Residents will be billed for the removal of un-authorized items found within storage. Residents may not store personal items after they have graduated from Oberlin College. There is no access to storage areas over vacation periods or during the summer recess. Residents store items at their own risk. Oberlin College assumes no liability for lost, stolen or damaged items.

7. RESPONSIBILITY FOR PERSONAL PROPERTY

The College and the Department of Residential Education and Dining Services assume no liability for theft, damage, or loss of money, valuables or other personal effects of any student or guest caused by fire, water, steam, insufficient heat, power failure, the elements, or actions of a third party that occur in College housing or on College property. Residents are encouraged to confirm that their property is covered by their family's homeowners' insurance or to carry personal property insurance.

8. MAINTENANCE

No resident shall alter, repair, or contract the repair of any furnishing, structural fixture, or electrical, mechanical, or plumbing equipment. Maintenance needs are to be reported to a Residential Education staff member or to Facility Operations. The College will be responsible for making all repairs determined as being necessary and appropriate.

9. RESPONSIBILITY FOR ROOM CONDITION AND USE

Residence Halls - No furniture is to be removed from any room. Room furnishings may not be stored in Residence Hall Storage areas or in any public areas including hallways, bathrooms, kitchens, laundry rooms, and/or lounges. Furniture in one room may not be exchanged for furniture in another room.

All College Housing - ONLY the appropriate College Services employees may paint and make alterations to the room or furnishings. Windows may not be used as room entrances or exits except in the case of an emergency. For safety reasons, window screens must be kept on windows in College housing and dining halls. If screens are removed or damaged, students will be billed for labor to re-hang or replace the screens. Any missing or damaged room items and/or surfaces will be billed to students assigned to the room.

10. CHECK-IN AND CHECK-OUT PROCEDURES

a. Check-in

Upon checking in to College Housing, the resident is responsible for acknowledging the condition of their assigned space by reviewing and re-submitting the room condition report (RCR) within 24 hours.

Any student not returning a form to the office will be assessed an improper check-in fine. The purpose of this form is to protect both residents and the College on damage charges and to provide information about room conditions that require maintenance. The resident will be billed for all damages/losses not noted on the check-in RCR above normal wear and tear at the time of check-out.

b. Check-out

Residents are expected to check out, return their key(s), and complete a final inspection in person with a Residential Education staff member prior to leaving College housing. Students are expected to reassemble furniture and to remove all trash, personal belongings, and College property not itemized on the RCR prior to check out. Fines and/or charges will be assessed for failure to meet the checkout requirement or for damage or loss of College property. Residential Education and Facilities Operations staff people are all able to assess fines/charges to residents. **It is important for residents to understand that additional charges may occur after checkout when a final inspection is completed.**

Residents living in Traditional Halls or Village Housing have the right to appeal charges, if they have followed proper check-out procedures, by documenting concerns and sending the appeal to the Department of Residential Education and Dining Services.

Residents must vacate by the published deadlines. Failure to vacate will result in the assessment of a late checkout charge. **Students who are suspended, leaving, or withdrawing from Oberlin College must vacate within 48 hours of the actual date of withdrawal/suspension/departure.**

11. TELEPHONES

Students are provided with basic telephone service that includes on-campus and local calling free of charge. Students who bring their own phones to campus will just need to plug a phone in to the telephone jack. The only restriction on personal phones is that 2.4 GHz cordless telephones are not permitted, as they interfere with wireless data networks. The Telephone Office will not be able to maintain personal phones brought to campus.

Students may also borrow a handset from the Office of Residential Education at no charge for the academic year. If the phone is not returned upon checkout, a fee of \$85 will be billed to the student's account for the replacement of the handset.

Voicemail is available free of charge to all students. Students desiring this service should contact the Telephone Office at (440) 775-8178. Please complete your request early as it may take up to five business days to activate the voicemail service.

If a student experiences problem with phone service, they should report the problem to the Department of Residential Education directly at (440)775-8472 or through a residential student staff member (RA, SRA, VA).

12. SUGGESTIONS, COMPLAINTS, AND APPEALS PROCESS

Students' suggestions and complaints regarding College housing accommodations, dining services, regulations, policies, and issues should be submitted to either the Department of Residential Education and Dining Services or to any member of the Housing and Dining Committee. Suggestions or complaints should be filed in writing.

a. Requests for Exception:

Requests for exception to any policy listed in this agreement should be submitted in writing to the Assistant Director for Housing Administration. All requests for exception will be granted or denied in writing. Students should not assume approval prior to receiving written notification.

housing and dining regulations (cont.)

b. Appeals:

Students who have requested an exception and been denied by a Residential Education and Dining Services staff member may appeal the decision to the Appeal Board of the Housing and Dining Committee. Appeals will be heard based on special circumstance specific to an individual student. The Appeal Board does not have the authority to render decisions that change policy. All appeals must be submitted in writing to the Appeal Board, in care of the Department of Residential Education and Dining Services. A final decision will be rendered within 30 days of receipt of the appeal, or if the appeal is received after May 1 or December 1, 30 days after the beginning of the next semester.

13. COLLEGE BOARD

a. General information

Students are required to be on either the Campus Dining Service or Oberlin Student Cooperative Association dining plan while they are enrolled at Oberlin College. A description of the available meal plans can be found at <www.oberlin.edu/cds>.

Access to dining halls will be permitted only when students present a valid ID card. ID cards may be used one time per meal. It is understood that credit will not be given for meals missed and that board is not transferable. Sick trays are available for qualifying students. Guests are welcome in any dining hall by purchasing a meal ticket in the Wilder Student Union. Public health laws require that both shirts and shoes be worn in dining halls.

Comments regarding the dining program can be given on the “Tell the Chef” comment card boards, at the comment tables offered each semester at each dining hall, presented to the Housing and Dining Committee, or by calling the Office of Residential Education and Dining Services.

b. Meal Plan Changes

Residents who wish to change dining meal plans must apply by filling out a “Change Form.” “Change Forms” are available in the Residential Education and Dining Services Office and online, and are processed monthly. If a student wants to change from campus dining and/or housing to OSCA dining and/or housing, the billing cannot be changed until a change notification is received from OSCA. Food-service billing is prorated and changes are on effective Mondays.

D. Community Resources and Opportunities

1. CAMPUS FASTS

Campus Fasts are an opportunity for student organizations to raise money to benefit humanitarian causes or organizations.

A. A Fast Proposal must be submitted to the Office of Residential Education and Dining Services at least four weeks prior to the proposed fast date, or by the last day before fall break for the fall semester and by the last day before spring break for the spring semester. The Fast Proposal must include a plan detailing ways in which the sponsoring group will inform and raise the awareness of the campus community about the rationale and purpose of the fast.

B. Fast Proposals are approved by the Housing and Dining Committee and must be presented at least three weeks before the proposed fast date. Upon receipt of this document, Campus Dining Services will subtract meals from the participating student’s meal plan. Donated meal(s) will not be available for use for the full day by the participating students. Contact the Assistant Director of Housing Administration, for more information.

C. The Fast Log of students who have signed up to participate in the fast must be submitted to the Office of Residential Education and Dining Services at least one (1) week before the approved fast date.. Contact the office for specific procedure information.

The number of approved fasts may not exceed one per semester. The same group will not be allowed to sponsor two fasts in the same year. The maximum donation is \$3000 per year or about \$1500 per semester.

2. PARTIES

Residents that want to host a party must stop by the Department of Residential Education to receive a party-planning packet that outlines the party-planning process. If you wish to host a party with alcohol, you must come to the Office of Residential Education no later than five weeks prior to the event. Failure to meet this five-week deadline will result in your party being cancelled.

All parties must adhere to all college policies regarding, alcohol, noise and guests.

For more information about the party planning process, please go to: <www.oberlin.edu/resed>.

3. COLLEGE HOUSING GOVERNANCE

a. Structure and Organization of House Council (Legislative)

By the end of the second week of classes, each College Housing section should elect a president, fire chief, and any other officer deemed necessary. Section presidents will represent their sections on the house council and will be responsible for calling meetings and seeing that the section responsibilities and business are carried out.

b. Responsibilities of Section Presidents/House Council Members

Sections are required to meet to discuss the needs and concerns of group living and to determine any regulations desired by the residents (quiet hours, visiting limitations, etc.). No such regulations voted by the sections may contravene published student regulations. Sections are encouraged to meet as often in the year as their needs dictate. Attendance of the entire section will be required when section regulations (as previously noted) are established or changed. Regulations adopted will require a three-quarters vote and will be cast by secret written ballot.

c. Section Enforcement and Appeal

The individual section will be responsible for the enforcement of the regulations it has established. If the section finds that individual members refuse to abide by the rules established, the section or the individual members may bring a formal complaint to one of the College judicial bodies, having sought the advice of the Judicial Coordinator as to the appropriate and available channels. Alternatively, any of the in-hall professional staff of the Office of Residential Education and Dining Services may be asked to act as intermediary. More formal avenues for mediation are also available.

If behavior in a particular section disturbs other sections, the house council will request the section to respect the rights of others in the section. If the problem continues, a complaint should be brought to one of the higher judicial authorities.

d. Village Housing

Village housing is encouraged to set up a village governance structure to address the programmatic needs of residents in addition to neighbor and neighborhood relations. If a group is interested in setting up a village council, please contact the Village Housing and Co-op Resident Director.

E. Housing and Dining Conduct Policies

1. ALCOHOL, DRUGS AND TOBACCO

The policies listed here are those specific to alcohol use and possession in College Housing. Please refer to page 82 for the general College policies on these substances.

Alcohol is permitted in student rooms under the following conditions:

- A. Persons under the age of twenty-one may not possess or consume alcoholic beverages or host drinking in College Housing.
- B. Alcoholic beverages may be possessed and/or consumed (but not sold) in student rooms by those students and their invited guests who are all of legal drinking age (21 or older).

C. Underage persons may be present when drinking occurs in a private residential room as long as a legal-aged resident of that room is present. It shall be the responsibility of the legal-aged resident to see that alcoholic beverages are not served to or consumed by underage persons. Anyone allowing underage students to drink alcohol in College housing room will be subject to disciplinary action.

D. Open containers of alcohol are not permitted in lounges, hallways, bathrooms, porches, stairwells, and balconies, or in other public or semi-public areas of College Housing unless you have completed the necessary party planning procedures with the Office of Residential Education and Dining Services.

E. Residents of legal drinking age may not possess large quantities of alcohol in College housing. The alcohol present must be deemed a reasonable amount intended for personal consumption.

F. Kegs or beer balls (empty or full) and common source containers are not allowed in College housing unless the official party planning process has been completed with the Assistant Director of Residential Education in Stevenson-Griswold.

G. Beer bongs and other items used for quick or mass consumption of alcohol are strictly prohibited.

H. Damage resulting from any activity involving alcohol will be paid for by the sponsoring person(s) and/or residents of the assigned College housing space.

2. GUESTS

Residents may have an overnight guest for not more than seven consecutive nights if the presence of the guest does not constitute an inconvenience for roommates or otherwise interfere with the housing community life. Residents are responsible for the actions of their guests and must be present for the duration of the visit.

The Residential Education staff is to be apprised of any overnight guests staying in the building for safety reasons or in case of an emergency. In no instance shall a guest become a long-term resident in a College-owned facility.

The number of guests in a college residence at one time should not exceed more than two guests per person assigned to that space. Violations will result in judicial action and/or eviction. It is Oberlin's philosophy that the residence halls should provide a living environment that fosters mature and responsible behavior between students and that protects the rights and needs of individuals. To this end, it is the policy of the College that each section or residence hall should determine its visitation policy. **The policy set by the section or hall may be more but not less restrictive than The Office of Residential Education's stated policy.**

housing and dining regulations (cont.)

3. SPORTS

Students may not conduct games or sporting events/activities or engage in other behaviors that may cause damage or injury to any other person or property in hallways, lounges, or stairwells or limit egress from the building. This includes but is not limited to using any athletic equipment, rollerblades, roller skates, skateboards, scooters, or bicycles within College housing.

4. LIFE-SAFETY POLICY

Residents agree to abide by state, local, and College regulations regarding fire, safety, and sanitation as stated below. Failure to comply with these regulations jeopardizes the safety of others and may result in judicial action and/or fines.

a. Equipment

Tampering with, misuse of, or vandalism to life-safety equipment in any College building is a violation of state law. Equipment includes but is not limited to fire extinguishers, heat sensors, pull boxes, fire doors, exit signs, smoke detectors, door closures, and fire hoses. Causing a false fire alarm to sound may result in disciplinary action. Evacuation from the building by all residents is required when the fire alarm sounds. Use of the fire escape of any College building is permitted in emergency situations only. Any non-emergency use of fire escapes is prohibited and will be considered an act of trespass.

b. Egress from room

Fire escapes, room windows, and other means of egress may not be blocked by furniture or other obstacles. Items may not block or limit access to the door, window or fire escape of any building.

c. Door closures/smoke detectors/evacuation signs

Removing, covering, or tampering with automatic door closers, smoke detectors, and/or evacuation signs is prohibited.

d. Housekeeping

Excessive accumulation of paper and/or clothing on the floor(s) may constitute a fire hazard and/or pest concern. If the state of your room is determined to be a hazard/concern, you will be given notice to correct the situation. Failure to do so may result in judicial action.

5. NOISE

For the policies regarding noise in residence halls, see Social Conduct and Regulations, entry V., section K.

6. PETS

Fish and other aquatic animals that can only survive in water are the only pets permitted by students in College Housing.

7. PROHIBITED AND REGULATED ITEMS

a. Wall hangings

Duct and packing tape, screws, etc. may not be used on walls, doors, woodwork, or furnishings due to the damage that may occur to walls or finishes. Materials that are specifically designed not to damage walls or surfaces may be used to hang room decorations (such as “sticky tack,” a rubbery substance that is usually blue in color). In addition, students may use finishing nails or thumb tacks to hang items. Some College housing assignments have bulletin boards or corkboard strips, while others have molding strips on which molding hooks may be used. The College does not provide molding hooks.

Excessive wall coverings, including cloth wall hangings, posters, and pictures are not permitted. No more than 20 percent of the wall surface may be covered. Cloth wall hangings (tapestries) are allowed, but only on the walls. No canopy arrangements from the walls or beds are allowed, nor can anything be hung from the ceiling.

b. Electrical appliances

Air conditioners and cooking appliances – including microwave ovens, immersion heaters, popcorn poppers, hot plates, and water heaters are prohibited from use in students’ residence hall rooms. Electrical appliances permitted in all College Housing include TVs, radios, stereos, telephones, fans, typewriters, personal computers, and hair dryers, as well as curling and clothing irons and coffee makers/pots with automatic shut-off features.

c. Refrigerators

Only one refrigerator per room is allowed in College housing. Divided doubles are considered one room. Capacity of refrigerators may not exceed five cubic feet.

d. Grounded extension cords

Extension cords must be grounded and should be protected with fuse devices (surge protectors) throughout College housing.

e. Combustible materials

The presence of combustible materials including but not limited to gasoline, kerosene, paints, and thinners, or of poisonous or hazardous chemicals, or fireworks or explosives is prohibited throughout College housing.

f. Electric blankets

Electric mattress pad covers and electric blankets are prohibited in College housing.

g. High-wattage lamps

The use of halogen lamps or of light bulbs of higher wattage than the specified rating in the light fixture is prohibited throughout College housing.

h. Portable heaters

Use of electric, kerosene, or other types of portable space heaters is prohibited in College housing.

i. Non-flammable waste containers

Only flame retardant wastebaskets are permitted in College housing.

j. Furnishings

Water beds and other pieces of water-filled furniture are not permitted in College Housing. In addition, wooden structures, including lofts and room dividers are prohibited. Curtains, blinds, and/or window treatments other than those provided by the College are prohibited.

k. Bicycles

Bicycles may be stored in individual student rooms in College Housing if they do not block egress. Additional designated storage areas are located in Burton and Noah bike storage areas. All bicycles left on campus at the end of spring semester should be stored in either Burton or Noah's bike storage areas. Motorized bicycles or motorcycles may not be stored in any facility. Motorcycles and motorized bicycles found in College housing or other facilities will be removed at the owner's expense.

l. Decorations

Presence of burned candles, incense, or anything with an open flame, even for religious purposes is not allowed in College Housing. In addition, live or cut trees, live wreaths, and/or artificial trees over four feet tall are prohibited in College housing. **Such items found in College housing will be confiscated and turned over to the Office of Safety and Security.**

m. Weapons

For the policies regarding weapons in and on College property, see the entry in Section IV. of the Judicial System D. Code of Conduct., Section 6.b.

8. COLLEGE HOUSING ID CARD SECURITY

Out of concern for safety and security, College housing is locked 24 hours each day. Student identification cards are programmed to unlock access doors on College residence halls and some village housing units. Students are expected to carry their ID cards with them at all times. Identification cards may not be loaned or given to anyone else, nor may they be altered. Residents may not allow people who are not their guests into College housing buildings. Tampering with a building's exterior door system or propping an exterior door open may result in disciplinary action.

Lost cards are to be reported immediately to the College Dining Services (CDS) ID office in Stevenson during weekday hours and to the Office of Safety and Security after hours, so they can be deactivated. Temporary replacement access cards are available evenings and weekends from the Office of Safety and Security. Temporary replacement dining cards are available evenings and weekends from Stevenson Dining Hall with proof of notification of a lost or stolen card

from Safety and Security. Damaged or altered cards can damage the access and cash terminals. Students must replace damaged or altered cards immediately.

Damaged cards will be replaced free of charge.

Students are required to show their ID card when asked to do so by a college official. Misuse of, altering, forging, contributing to the fraudulent use of, or failing to show an ID card may result in a fine and/or disciplinary action.

9. PUBLIC AREAS POLICY

Residents may be held responsible for the upkeep of public areas including, but not limited to, hallways, bathrooms, stairwells, elevators, lounges, studies, utility rooms, and lobbies. **Residents are expected to take every precaution to assure that communal property is not abused.** In addition to individual rooms, it is the responsibility of the residents to keep laundries, bathrooms, and kitchenettes clean. In College housing where the College determines that a majority of the residents are tolerating undue abuse of College property (in excess of normal wear), and the responsible individual(s) cannot be identified, all residents of the area will be held responsible for a proportional amount of the cost of repairing or replacing damaged items and/or the cost of fines.

Lounge furnishings are designated for the collective use of residents; therefore, they may not be redistributed for use in student rooms. Any lounge furniture found within a student's room or in another building on- or off-campus will be considered theft, and judicial charges may be filed against the students assigned to the designated room or found responsible.

10. ROOM KEY POLICY

All keys remain the property of Oberlin College. It is unlawful to duplicate a College key. Lost keys are to be reported to a residential education staff member immediately. A lost key or failure to return a key at check out will result in at least a \$60 charge per lock change. For safety purposes, no resident should allow another person to use the key to his/her room.

11. SMOKING

Smoking is **ONLY** allowed at least 30 feet away from entrances and exits of all College-owned facilities. There is **NO** smoking in **ANY** College building. This includes all College Housing. Each community member is responsible for understanding the smoking policy and is encouraged to educate his/her peers.

12. STUDENT CODE OF CONDUCT

Residents are responsible for understanding and complying with the social conduct standards as stated in this manual. Behavior that threatens or endangers the well-being of others or substantially interferes with the rights of others may result in eviction or assignment transfer.

finest and penalties

Many violations of College regulations carry automatic fines and penalties and do not require a judicial hearing. A fine schedule for particular offenses is outlined below.

Housing and Dining Violations

OFFENSE	PENALTY
IMPROPER CHECK-IN FEE/FAILURE TO COMPLETE AN RCR	\$25.00
BOXING AND SHIPPING OF BELONGINGS	\$25 PER BOX, PLUS LABOR COSTS AT \$35 PER HOUR
DISPOSAL (REMOVAL OF BELONGINGS FROM ROOM)	\$25 PER ITEM + ADDITIONAL CHARGES IF DISPOSAL REQUIRES SPECIAL PROCEDURES
FAILURE TO VACATE RESIDENCE HALL ROOM BY STATED DATE AND TIME/ FAILURE TO CHECK OUT AT ANNOUNCED HALL CLOSING TIME	STUDENTS CHARGED \$50.00 PER HR. AND COST OF LABOR. (LIMITED TO \$400 PER DAY.)
IMPROPER CHECK OUT/ FAILURE TO CHECK OUT FOLLOWING OUTLINED POLICIES AND PROCEDURES	\$25.00
LOCK CHANGE AND/OR FAILURE TO RETURN KEY	\$60.00 PER LOCK CHANGE
LOCK-OUT CHARGE	STUDENTS GET ONE FREE LOCK OUT, THEN PAY \$10 FOR THE SECOND LOCK-OUT, \$20 FOR THE THIRD LOCKOUT, AND CONTINUE IN INCREMENTS OF \$10 FOR EACH LOCKOUT THEREAFTER. AFTER THE THIRD LOCK-OUT STUDENTS ARE REQUIRED TO MEET WITH AN RD.
PET RULE VIOLATION	\$50.00 PER RESIDENT OF THE COLLEGE HOUSING UNIT AND POSSIBLE REFERRAL TO COLLEGE JUDICIAL SYSTEM (PLUS REPAIR OR REPLACEMENT AND ADDITIONAL CLEANING COSTS ASSESSED AT THE TIME OF CHECK-OUT)

A fine schedule for damage to residence hall property is available in the Department of Residential Education and Dining Services

Student Motor Vehicle and Bicycle Fines

OFFENSE	PENALTY
FAILURE TO REGISTER	\$75.00
UNREGISTERED CARS FOUND ON CAMPUS (INCLUDING THOSE BELONGING TO STUDENTS LIVING OFF CAMPUS)	\$75.00
VIOLATIONS OF PARKING REGULATIONS (NOT INCLUDING HANDICAPPED OR FIRE-LANE VIOLATIONS)	\$10.00
IMMOBILIZATION FEE AFTER THIRD UNPAID VIOLATION WITHIN ONE ACADEMIC YEAR, NOT INCLUDING THOSE SUCCESSFULLY APPEALED.	\$75.00 PLUS UNPAID FINES AND LATE FEES
VIOLATION OF FIRE-LANE RESTRICTION	\$75.00
VIOLATION OF HANDICAPPED-SPACE DESIGNATION	\$75.00
LATE FEE (IF VIOLATION NOT PAID WITHIN 10 DAYS, WEEKENDS INCLUDED)	\$5.00
IMPROPER BICYCLE STORAGE	\$50.00

Three unpaid violations may result in an order to immobilize or remove car from campus. Six violations will require removal of car from campus. Additional parking restrictions and fee listings are available from the Office of Safety and Security or at <www.oberlin.edu/security/>.

Library Violations

OFFENSE	PENALTY
FAILURE TO RESPOND TO RECALL NOTICES	\$10 PER DAY OVERDUE FINE, REFERRAL TO HONOR COMMITTEE OR JUDICIAL SYSTEM
RESERVE ROOM PENALTIES	\$2 PER HOUR OVERDUE FINE
VIOLATION OF ESTABLISHED LIBRARY BUILDING RULES	REFERRAL TO COLLEGE JUDICIAL SYSTEM OR LOCAL LAW ENFORCEMENT AUTHORITIES
UNAUTHORIZED ENTRY IN THE LIBRARY ROOF AREAS OR UNAUTHORIZED PRESENCE IN THE LIBRARY OR COMPUTING CENTER AFTER REGULAR HOURS	REFERRAL TO COLLEGE JUDICIAL SYSTEM OR OTHER APPROPRIATE AUTHORITY
IMPROPER REMOVAL, RETENTION, CONCEALMENT OR DAMAGE OF LIBRARY, COMPUTING CENTER, OR AV MATERIALS AND EQUIPMENT	REFERRAL TO HONOR COMMITTEE AND/OR COLLEGE JUDICIAL SYSTEM PLUS APPROPRIATE FEES AND FINES AS LISTED IN LENDING REGULATIONS

Other Violations

OFFENSE	PENALTY
DAMAGE TO COLLEGE PROPERTY	UP TO \$50.00 FINE AND REPRIMAND, PLUS REPAIR OR REPLACEMENT COSTS
FAILURE TO SHOW ID	\$15.00 AND REPRIMAND
MISUSE OF ID	\$15.00 AND REPRIMAND
MISUSE OF COLLEGE TELEPHONE (E.G., ACCEPTANCE OF COLLECT CALLS, THIRD NUMBER BILLINGS)	\$5.00 ADMINISTRATIVE CHARGE PER CALL
TAMPERING WITH LIFE-SAFETY EQUIPMENT, I.E., FIRE EXTINGUISHERS, SMOKE DETECTORS	\$300.00 AND PROBATION, PLUS REPAIR OR REPLACEMENT COSTS
THEFT OF COLLEGE PROPERTY	\$50.00 AND PROBATION, PLUS REPAIR OR REPLACEMENT COSTS
VERBAL ABUSE OF A COLLEGE OFFICER	\$15.00 AND REPRIMAND

If the above violations occur, a member of the Office of Residential Education and Dining Services or the Judicial Coordinator will speak to the student to hear his/her side and, if convinced the violation occurred, will impose the scheduled fine and penalty using his/her discretion. A judicial hearing is not required. However, the student may appeal to the Judicial Board if he/she thinks there are mitigating circumstances.

