

Student Regulations, Policies, and Procedures

OBERLIN
COLLEGE
2011-2012



EMERGENCY NUMBERS DIAL

EMERGENCY 911

College Safety and Security.....	58911
Ambulance (Nonlife Threatening).....	58911
Oberlin Police Department	7-774-1061
Oberlin Fire Department	7-774-3211

OTHER IMPORTANT NUMBERS

College Security

Dispatcher - Nonemergency	58444
Office.....	58877
Student Shuttle (9 PM–2 AM).....	7-775-RIDE (7433)

College Operator

On campus.....	0
Off campus	7-775-8121

Emergency Notifications (2-WARN).....888-432-9276
(In case of a real campus emergency.)

Allen Medical Center	7-775-1211
Allen Medical Center Emergency Room	7-775-9110
Building Maintenance	58445
Residence Hall Maintenance.....	58473
Student Health Appointments (on campus)	58180
Telephone Repair Service.....	0

EMERGENCY PROCEDURES

In an Emergency, call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911

EMERGENCY PROCEDURES QUICK REFERENCE GUIDE

This Quick Reference Guide is intended to give advice to help community members during a developing situation. The guide cannot cover every emergency, but is a tool to help reduce injuries or death if put into action as soon as a situation develops. Please notify Emergency 911 and your Safety and Security Office at (440) 775-8911 or Ext. 58911 immediately for assistance.

EMERGENCY ALERT SYSTEM

Oberlin College offers an automated messaging system in the event of a campus emergency in addition to its regular website announcements and paper postings. The system uses multiple delivery methods (i.e. voice messages to land and cell phones, e-mails, and text messages to cell phones, and to TTY/TTD devices for the hearing impaired) to provide information to students and employees. Employee office phone numbers and college e-mail addresses on file with Human Resources, and student phone numbers and college e-mail addresses on file with Residential Education are entered into the database. Up to six phone numbers and two e-mail addresses may be customized by the individual employee or student by utilizing his or her T number and e-mail address through the Office of Human Resources (for employees) or through the Office of the Registrar (for students). The campus portal provided at www.oberlin.edu/warn allows individuals to verify and customize their personal contact information directly.

At the end of spring semester, student contacts are removed from the system, and must be reentered when checking in for fall semester. Students on campus during the summer should reenter their preferred numbers after June 1st.

FIRES

- Activate nearest fire alarm pull station if fire alarm is not already sounding.
- Call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.
- Notify other occupants and help those needing assistance in the immediate area.
- EVACUATION IS MANDATORY, follow evacuation procedures. Confine the fire by closing doors behind you as you exit.
- When drills are conducted, you are required to participate per Ohio Fire Code. Residential drills may occur any time of the day or night.

BUILDING EVACUATION PROCEDURES

Evacuation may be ordered depending upon nature of the emergency:

- Exit via the nearest safe exit.
- Do not use elevators.
- Take personal belongings (ID, keys, purse, wallet) and dress appropriately for weather.

- Close doors behind you as you exit, but do not lock them.
- Move all personnel to a safe area, away from the building in danger.
- Account for building occupants.
- Assist handicapped or mobility impaired persons to exit; if you cannot do so safely, report the individual's location to responding officers.
- Do not reenter the building until directed to do so by emergency personnel.

SEVERE WEATHER

Be alert to the onset of severe weather.

- The National Weather Service issues public warnings:
Severe Thunderstorm Watch - Storms are likely to develop with frequent lightening, damaging winds, hail, and heavy rain.
Severe Thunderstorm Warning - Severe weather is imminent or occurring with frequent dangerous lightening strikes, probable hail, and high winds. Tornado development is possible.
Tornado Watch - Conditions favor tornado development.
Tornado Warning - A tornado is imminent, indicated on radar, or has been sighted in the area.
Time permitting, the city of Oberlin activates its warning sirens, and Oberlin College warns subscribers via its Emergency Alert System.
- Seek shelter immediately in a designated shelter area, basement, or lowest level of a building; or central interior rooms away from windows, doors and outside walls. Avoid structures with free-span roofs like gymnasiums.
- If outside, lie flat in a depression or ditch and cover your head. Watch out for flying debris, downed power lines, unstable structures, and utility leaks.
- When safe, check for injuries and call Emergency 911 or Safety and Security at (440) 775-8911 or Ext. 58911 for help.

FLOODING

Flooding can occur due to major rainstorms, water main breaks, or loss of power to sump pumps.

IF FLOODING IS IMMINENT:

- Secure vital equipment, records, and hazardous materials.

IF FLOODING OCCURS:

- Call Facility Operations for assistance at (440) 775-8445 or Ext. 58445. After hours contact Safety and Security at (440) 775-8444 or Ext. 58444.
- Exit via the nearest safe exit. Take personal belongings with you. Move all personnel to a safe area, away from the building in danger.

EMERGENCY PROCEDURES (cont.)

- Do not return to affected areas of the building until instructed to do so by Facility Operations personnel or Safety and Security.

GAS LEAKS, FUMES, OR VAPORS

If you detect natural gas, fumes, or vapors:

- DO NOT ACTIVATE fire alarm pull station
- DO NOT TOUCH light switches or electrical equipment.
- Leave the building. Take personal belongings (ID, keys, purse, wallet) with you. Alert others in the area that they should leave the building.
- From a safe location, call Facility Operations for assistance at (440) 775-8445 or Ext. 58445. After hours contact Safety and Security at (440) 775-8444 or Ext. 58444.
- Provide your location and the location of the odor to the dispatcher. Provide as many details as possible.
- Wait for further instruction from Facility Operations or Safety and Security.

HAZARDOUS MATERIAL SPILL

Hazardous Material spill, incident or release for which assistance is needed:

- If the incident is indoors, close all doors to isolate the area if it is safe to do so.
- From a safe area call Safety and Security at (440) 775-8911 or Ext. 58911.
- Provide as much information as possible including: name and quantity of the spilled material; time and location of the incident; injuries or exposures to personnel; exposure to the environment; and whether fire, explosion or reaction potential exists.
- Follow instructions initiated by emergency response personnel.
- Evacuate the area if the spill is in a building, close all doors to isolate area if safe to do so. Evacuate away and upwind from the spill if outdoors, or shelter in if spill is out of doors and you are instructed to stay inside by emergency response personnel.

SUSPICIOUS PACKAGES/BIOLOGICAL OR CHEMICAL AGENT THREATS

- Know what mail/packages appear normal for your area.
- Do not touch, move or disturb the object, substance, or package about which you are suspicious.
- Evacuate the immediate area, alerting others.
- If you believe you have been exposed to a biological or chemical agent, remove yourself from the area (upwind, uphill or upstream if outdoors) and report the suspected exposure to medical authorities at the scene or nearest emergency medical facility.
- Call Emergency 911 and Safety and Security at (440) 775-8911 or Ext. 58911.

- Notify your building representative, residence hall director or RA.

SUSPICIOUS PERSONS

If you encounter someone who appears suspicious, who is a stranger not accompanied by a student or staff member in a residence hall, or who appears to be present without authorization in restricted areas such as offices and mechanical spaces, please call Safety and Security at (440) 775-8911 or Ext. 58911, noting his or her description and location.

BOMB THREATS

- Remain calm.
- Obtain as much information as possible from the caller such as: identity of the caller; when the device is set to explode; where the device is located; type of device and what it looks like; what will cause it to explode; whether the bomb was placed and why?
- Document the caller's exact wording.
- Note gender, approximate age and any voice distinctions including: calm; anger; accent and demeanor (coherency, rationality, etc.)
- Listen for distinct background noises (traffic, trains, airplanes, machinery).
- Note your caller ID.
- Call Emergency 911 and Safety and Security at (440) 775-8911 or Ext. 58911.

DISRUPTIVE PERSONS/PERSONS OF CONCERN

If you observe an individual on campus exhibiting unstable or threatening behavior:

- Contact Safety and Security at (440) 775-8911 or Ext. 58911, giving your name, location and brief explanation of the situation. If the disruptive person is known, give his/her identity. If the disruptive person is unknown, give a detailed description of personal features and clothing.
- If the person is in your classroom, give a student a note to call Security while you ask the person to speak with you in the hall.
- Respect the person's space—do not physically confront or block the person's access to exit.
- Remain calm, speak clearly and give the person clear instruction, engaging him/her in the process.
- Tell the person what exactly you can do for him/her; offer an appropriate alternative (I need to be in class now, we can talk later.)
- When Safety and Security arrives, return to your office or classroom and debrief with officers.

ARMED INTRUDER/SHELTERING IN

If an armed person is actively causing deadly harm or there is imminent threat of deadly harm, we recommend:

- If possible, exit the building and quickly move away to a safe area, call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.

EMERGENCY PROCEDURES (cont.)

- If you cannot exit, clear the hallway immediately and/or remain behind closed doors in a locked or barricaded room. Stay away from windows; move out of the doorway.
- Turn all lights and audio equipment off, silence the ringtone on your cell phone. Quietly call Emergency 911.
- Try to stay calm and quiet; plan alternatives for your safety:

—If you think you can exit the building safely by running, get out. Use trees, vehicles, or other objects to block yourself from view as you run. Run until out of danger, then summon help.

—Gather weapons (coffee cups, chairs, books, pens, etc.) and mentally prepare to defend yourself or others.

—If you are unable to run, you may choose to play dead if other victims are around you.

—If no other option, you may have to fight. This is dangerous, but it could be your last option.

Once police arrive, FOLLOW ALL COMMANDS, until the police identify and neutralize the suspect.

—Put yourself in a position to surprise the intruder should he enter the room. Throw things at the shooter's head to disrupt his aim; attack in a group; grab the shooter's limbs and head to take him to the ground and hold him. Secure his weapon.

MEDICAL EMERGENCIES

Assess the scene for any continuing threat to rescuer's safety.

CARDIAC ARREST/HEART ATTACK

- Call or instruct someone to call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.
- IF APPROPRIATELY TRAINED, check the victim for consciousness, breathing and pulse. If victim is not breathing and there is no pulse, begin CPR. Continue CPR until relieved by an equally trained responder or emergency personnel.
- Assist responding emergency personnel with information about what occurred and any known background or contact information for the victim.

VICTIM NOT BREATHING, HAS PULSE

- Call or instruct someone to call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.
- IF APPROPRIATELY TRAINED, position victim and begin RESCUE BREATHING. Continue until relieved by an equally trained responder or emergency personnel.
- Assist responding emergency personnel with information about what occurred and any known background or contact information for the victim.

BLEEDING

- Call or instruct someone to call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.
- IF APPROPRIATELY TRAINED, respond using Universal Precautions to protect yourself from exposure to blood and body fluids.
- If untrained and victim is conscious, instruct the victim to apply pressure to the affected area using a clean cloth or dressing.
- Elevate affected area above the heart.
- Keep victim calm until help arrives.

SUDDEN ILLNESS

- Sudden illnesses may include strokes, seizures, diabetic emergencies, poisonings or allergic reactions.
- Call or instruct someone to call Emergency 911 then Safety and Security at (440) 775-8911 or Ext. 58911.
- Care for life-threatening conditions, as above IF APPROPRIATELY TRAINED.
- Keep victim comfortable, either seated or lying down until help arrives.

CHOKING

- If victim is actively coughing, do not attempt to dislodge object.
- Call or instruct someone to call Emergency 911 then Safety and Security at (440) 775-8911 or Ext. 58911.
- If victim is choking and you are APPROPRIATELY TRAINED, respond using abdominal thrusts.

BURNS

- Remove the cause of the burn if safe to do so.
- Direct victim to sink or emergency shower, flush affected area, and remove chemically contaminated clothing.
- Call Emergency 911, then Safety and Security at (440) 775-8911 or Ext. 58911.

CRIME

Be proactive and seek crime prevention advice from your Safety and Security Office.

- Report all crimes or suspected crimes immediately. If an emergency or crime is in progress, call Emergency 911.
- Do not interfere with or attempt to stop the offender. Instead, be a good witness to what occurred, and be able to describe the offender.
- If in danger, move to safety. Leave the phone line open and move to another extension, or use cell phone.
- When officers arrive, seek assistance and debrief with officers.

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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 evolved and 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 the education of women and people of color. We are dedicated to the celebration, promotion, and greater understanding of diversity in all its manifestations and complexities.



Eric Estes
Dean of Students

Rules and Regulations

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 dismissal 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 ascertain 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 those ideas 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. If students believe they have been subject to behavior that constitutes harassment or discrimination, they can consider reporting it to the Office of equity concerns.

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 their 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 dismissal.

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 dismissal. 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 (cont.)

I. General Regulations

The college reserves the right to dismiss students who are unable, with or without reasonable accommodation, to perform the work that is expected of them or who pose 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

A. Term Bills

The college requires term bill payment as follows each semester:

1. Charges must be paid in full no later than August 26 (first semester) and January 25 (second semester). Payments of this nature avoid the added cost of accrued interest (service charge).
2. Arrangements may be made to pay monthly installments by enrolling in a monthly payment plan, either directly with Oberlin College or through an external agency. Payments must be current. Information on the Oberlin College budget payment plan is available on the student accounts website.
3. No student may enroll who has not complied with 1. or 2. 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 that is available on the student accounts website.

B. 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.

C. 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.

1. Tuition is based on the courses in which a student is officially registered, regardless of attendance.
2. 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.

3. The choice to withdraw from a course does not cancel additional tuition charges for the course.
4. 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. \$1,120 per hour is charged for each hour above the regular full-time rate.
5. 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.
6. 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 \$1,780 if the areas are with the faculty in charge. All students on an Academic Leave of Absence (ALOA) are charged a \$2000 fee.
7. 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 \$1780 for any credits in excess of six principal private study credits.

D. 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.

E. Matriculation Deposit

An enrollment deposit of \$300 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.

F. 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 the online waiver is completed or

Rules and Regulations (cont.)

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 \$871 for the year commencing August 1 through July 31.

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 and online at www.AHPCare.com/oberlin. 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 an off-campus phone.

G. Personal Property Loss/Reimbursement

Responsibility for Personal Property

Oberlin College assumes 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 or surge, the elements, neglect, theft or the actions of a third party that occur in college housing or on college property.

Oberlin College does not endorse any individual insurance program. Students are encouraged to confirm that their property is covered by their family's homeowners' insurance or to carry personal property insurance with the protection they desire for student property. Not all homeowner's policies cover everything that students bring to school. Most companies will provide some coverage, but have limitations on certain property. Students should check with their insurance agency and request a written note on items such as electronics, jewelry, and musical instruments. Separate coverage may be recommended by your provider.

You may wish to consider CSI's Student Personal Property Protector Plus® program. CSI has created a property insurance plan especially for students living away from their parent's home, either on or off campus. Participation in this plan is optional. If you are interested in this coverage you can apply to CSI Insurance Company by going to their website at www.collegestudentinsurance.com. If you have questions about the coverage, please call CSI Insurance Agency at 888-411-4911 or e-mail them at info@csiprotection.com. Do NOT send your application to the college.

Request for Loss/Reimbursement

If you have damage to your personal property that you feel was caused by Oberlin College negligence, you may

petition the Director of Residential Education, if the loss occurred in college housing, or the Director of Facilities Operations, if the loss occurred at any other location on campus, for consideration of reimbursement. Oberlin College has the discretion to determine whether to reimburse and whether to seek additional information before making a final determination. A final determination will consider any such additional information provided as well as any failure to provide such information.

Follow these steps:

1. You must first present your claim to your insurance provider within five business days of the loss to determine if there is coverage under the policy. If the insurance company accepts your claim in full, with no out of pocket expenses, Oberlin College will not offer reimbursement.

2. If no coverage exists and/or if there is a deductible you must complete the Request for Reimbursement Form. The following items must be attached to the Request for Reimbursement Form:

- A letter from your insurance company outlining the rejection and/or settlement of your claim with your deductible clearly identified.
- Copies of purchase receipts (please do not attach originals). If copies are not available, then you must provide documentation that describes the item with manufacturer name, model number, original cost estimate, date of purchase, current replacement cost, and place of original purchase.
- Digital pictures of your loss, if possible.

Failure to provide any or all of the items specified will be considered in the college's response to a request for reimbursement and may lead to denial of the request.

3. The Request for Reimbursement Form and associated documentation must be submitted to the Director of Residential Education, if the loss occurred in college housing, or the Director of Facility Operations, if the loss occurred in another location on campus, within five business days of a response from your insurance provider. Oberlin College will make the determination whether to reimburse and whether to seek additional information before making a final determination. A final determination will consider any such additional information provided as well as any failure to provide such information.

4. All requests for reimbursement will be reviewed to determine if Oberlin College will reimburse you for your loss. Please note that the *Student Regulations, Policies, and Procedures* state that Oberlin College is not responsible for your loss. Therefore, a decision may be made not to reimburse you. Depending on the extent of your loss, you can expect a response, in writing, within 30 days.

5. If your request is approved, reimbursement will be based upon the cost less a percent depreciation of the item in question using published depreciation guides. Depreciation will be based on the date of purchase as provided on

Rules and Regulations (cont.)

the sales receipt. In addition, you will be required to sign a Release of All Claims form prior to receiving any reimbursement.

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. Conservatory students majoring in double bass, harp, or percussion instruments are assigned practice rooms at the discretion of the associate dean. Nonmajors will only be granted instrument storage on a space-available basis and must be registered for private study or actively involved in a conservatory ensemble. Nonmajor storage is generally not available for large instruments.
 - b. Students studying organ, harpsichord, or forte piano 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.

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 *Catalog* each year and the rate is quoted to persons who inquire about noncredit 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

Rules and Regulations (cont.)

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 Michael Lynn, Associate Dean, (440) 775-8099. Instrument lockers are assigned, as available, 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, (440) 775-8099

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 Dean Lynn.

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.

d. Kohl: Kohl Plaza entrance doors require ID key card access, with the exception of business hours (8:00 a.m.-4:30 p.m.). Access is available through the basement and third floor entrance.

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 30 feet of the 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

Rules and Regulations (cont.)

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.

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IV. Library

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). 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 checkout 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 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 30 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.

Rules and Regulations (cont.)

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 chart. 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 when on and approaching the entrance ramp to Mudd Center; and is only allowed in the designated smoking area south of the ramp. 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 systems, web servers and other servers, general and departmental computer labs and facilities, and institutionally-owned desktop and laptop computers. CIT provides additional services, including operation of a main Help Desk and an after-hours Help Desk, as well as sales and service of computers, peripherals, and software through the Oberlin College Technology Store. CIT also provides audiovisual and educational technology resources and support.

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.

This policy may be modified at any time. Use of CIT resources is considered an 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

Rules and Regulations (cont.)

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, including those 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, Lorain County, or others, 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 discouraged 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.

- c. Users should relinquish the computer they are using if they are doing nonessential 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 in CIT-maintained computer facilities/labs 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.
- g. Computers assigned to faculty and staff for the duration of their employment at Oberlin College remain the property of Oberlin College and should be treated as such. These computers may be upgraded, as warranted, and must be relinquished in order for any required repairs to be performed. Note that termination of employment could result in the immediate inability to access one's assigned computer. Accordingly, users are encouraged to use personally-owned computers to store or process personal materials.

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.

Rules and Regulations (cont.)

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 noncollege, 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.

h. Users should not systematically collect and use any privately or publicly available College data or content, including users' personal directory and account information, through the use of data mining, robots, or similar gathering and extraction methods.

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. Users should be aware that data stored and used within OCApps (online applications powered by Google) is inherently nonsecure and is also

not backed up. Thus, users must not place any confidential, sensitive or personal data within any of the available OCApps, and should not use OCApps as a primary storage location for vital data (alternative storage media should also be used).

c. 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.

d. The default protection setting on CIT servers defines all files as belonging 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.

e. Individual Oberlin College accounts (@oberlin.edu e-mail accounts, web accounts, etc.) are created for the express use of the individual for whom

Rules and Regulations (cont.)

the accounts are created, but remain the property of Oberlin College. Accounts may be viewed in circumstances such as those delineated in paragraph b. above. Faculty and staff accounts may also be accessed to recover work-related information in the event of the termination of employment, or the incapacitation or demise of the employee. Accordingly, faculty and staff account holders may wish to consider acquiring a non-Oberlin account for personal correspondence.

6. NETWORK USAGE

The following are responsibilities that are particularly applicable to Oberlin's campus-wide network.

- a. Only computers that have been properly virus checked, updated, and authenticated through established procedures may be connected to 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 and wireless access points (WAPs), all routers and WAPs, except those configured and used by CIT, or devices, which function as routers or WAPs, 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.

Because of the rapid changes in technology, it is impossible to enumerate all of the circumstances that would constitute a violation of this Acceptable Use Policy. Additional circumstances that violate the spirit of the policy may be subject to the above penalties.

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

VI. Policy for Academic Records

A. Academic Dates and Deadlines

All students are expected to follow academic dates and deadlines found in the events calendar at www.oberlin.edu or in the academic calendar available at www.oberlin.edu/regist.

B. Course Registration

1. All students currently studying on campus or expecting to return from a personal or academic leave are required to register for courses for the upcoming semester during November and April registration periods.
2. All students are also expected to complete the housing registration process.
3. If a student does not register for courses during the appropriate registration period, she or he may be withdrawn.

C. Enrollment

All students are expected to confirm that they have returned to campus through the online enrollment process in PRESTO.

D. Holds

A hold on a student's record may occur due to:

1. Failure to return library materials; complete a required meeting with a class or academic dean; submit required health forms; declare a major on time; or complete the housing registration process,
2. Outstanding financial obligations,
3. An incomplete financial aid application, or
4. Pending judicial or honor code issues.

A hold on a student's record may impact registration, enrollment, the receipt of a diploma at commencement, or marching at commencement.

E. Reinstatement

Any student returning from academic or judicial action, medical leave, or withdrawal must apply for reinstatement with Oberlin College. Complete procedures and policies are available at www.oberlin.edu/regist.

F. Transcripts

Official transcripts are available from the Office of the Registrar for \$6. Any request which requires expedited handling requires payment of a rush fee of \$30 (which includes the transcript and Fed Ex fee).

Students' Rights and Responsibilities

I. The Honor System Charter

The General Faculty voted to approve the following revised Honor System Charter on May 21, 2008.

A. Purpose

The Honor System provides a framework for academic work at Oberlin College and for the establishment of a Student Honor Committee (SHC). The SHC promotes an Honor System where students form part of the Oberlin College community of scholars. As peers, the SHC allows for the student body to be accountable to each other based on the principles of academic integrity. The SHC ensures that trust and academic freedom are maintained for the scholarly pursuits of the Oberlin College community.

The purpose of the system is to maintain a high standard of academic integrity in all curricular work, to respect students' ability to adhere to this standard, and to encourage further development of this ability through the efforts of faculty, administration, and students. The Honor System embraces the Honor Code and the system administering it.

The Honor Code 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. 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, upheld and adhered to by all members of the Oberlin College community. Based on this presumption, professors do not proctor exams, but trust that students adhere to the Honor Code.

Students bear the responsibility of ensuring the maintenance of academic freedom in the community and report possible infractions potentially harming the community. 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.

The Honor Code: Oberlin College students are on their honor to uphold a high degree of academic integrity. All work that students submit is expected to be of their own creation and give proper credit to the ideas and work of others. When students write and sign the Honor Pledge, they are affirming that they have not cheated, plagiarized, fabricated, or falsified information, nor assisted others in these actions.

Honor Pledge: "I have adhered to the Honor Code in this assignment."

The default assumption covering all academic exercises is that students are required to do their own work only utilizing the help and resources considered appropriate for each academic exercise, including sources of assistance routinely offered by the college to students, such as reference librarians and writing tutors. Notwithstanding, in all cases, the professor in a specific course may further restrict or expand what resources are approved or not approved for use in a particular course or assignment.

B. Definition of Terms

1. ROLES

a. Advisor: a student, administrator, staff person, or faculty member who is currently a part of the Oberlin College community who agrees to provide guidance and support for a respondent or complainant. Advisors may not be parents of the complainant or respondent and may not act as legal counsel. Advisors may join a respondent or complainant during any meeting related to the investigation or hearing of a case. During hearings the advisor does not have speaking privileges and may not serve as an advocate on behalf of the complainant or respondent; however the advisor may confer with the respondent or complainant, offer support, and give advice, write notes to, or whisper a suggestion to the respondent or complainant on procedural matters. Ultimately, the advisor is present to provide moral support and to listen carefully on behalf of the respondent or complainant. Advisors are often able to make recommendations to the respondent about questions to ask, appropriate tone to use, and to help clarify information.

b. Complainant: the student, administrator, staff person or faculty member bringing a charge against someone under the Honor Code.

c. Coordinator of the Student Honor Committee (also SHC Coordinator): the person responsible for receiving reports of violations, assigning case managers, keeping a record of cases under investigation and scheduled for hearings, and managing correspondence with the Faculty Honor Committee, Honor System Liaison, and the relevant deans.

d. Cochair(s) of the Student Honor Committee: the individuals designated by the SHC to facilitate meetings of the entire committee and who work collaboratively with the coordinator to make sure that committee members are carrying out the mission of the Honor System.

e. Honor System Liaison: the person designated by the Dean of Students to provide guidance and

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administrative support to the Student Honor Committee. The Honor System Liaison maintains a set of tracking files containing both names and case numbers, is an ex-officio member of the Faculty Honor Committee, facilitates communications with other administrative offices, and answers questions when classes are not in session or when the SHC Coordinator is not available. The Honor System Liaison coordinates events to bring the constituents of the System together once or twice a year. In addition, the Honor System Liaison works collaboratively with the SHC to recruit and train members, to sponsor the fall orientation program for new students, and to ensure that a panel is available to hear cases during senior week.

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

g. Relevant Dean: the dean of the college or the conservatory, or both, depending on where the student is enrolled.

h. Secretary/Treasurer: the person who works collaboratively to make sure that meeting minutes are recorded, assists the coordinator with correspondence and scheduling as needed, prepares the annual budget and meets with the Student Finance Committee as needed. Ordinarily, the secretary/treasurer is an underclass student serving as an apprentice to the coordinator.

i. Witness: an individual who is consulted by the SHC and who participates in a hearing to provide expert, factual, or circumstantial information related to the charge(s).

2. CONCEPTS

a. A business day ordinarily refers to a weekday (Monday through Friday) excluding college recognized holidays during those weeks when classes are in session. Mondays through Fridays during fall and spring break, winter shut down, winter term, or summer vacation (hereafter, "recess periods") are normally not considered "business days." However, recess periods do not stay timelines for a respondent to submit requests for appeal to the relevant deans and to the President or the president's designee, pursuant to Sections F. 7. c. and e.

b. A charge is a written notice to a student of an alleged or potential violation of the Honor Code brought to the SHC for investigation.

c. Cheating occurs when students do not do their own work in an academic exercise or assignment. Examples of cheating include, but are not limited to:

- (1) Copying from another student's examination.
- (2) Allowing a student to copy from another student's examination.

(3) Using outside materials on an examination that are not authorized for use during the examination.

(4) Preparing or obtaining notes to take into a closed-book examination, for example writing on the hand or desk, preparing a crib sheet, or storing information in any other format for use and retrieval during the examination.

(5) Collaborating on a project that was intended to be completed individually.

(6) Using written notes or information, or electronic devices, such as a personal data device, laptop computer, cellular phone, or calculator in an unauthorized manner to store, share, and/or retrieve information during an examination.

d. Plagiarism: The appropriation of the work or ideas of another schola—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 is not an excuse for inadequate or improper citation. Students should consult with a professor, librarian, or writing tutor if they are unsure about their citations or the proper format.

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. 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 that 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 websites of others.

Because footnoting and bibliographical conventions differ significantly between disciplines, students should consult with their professors regarding 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*, 6th ed., 2003.

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.

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Oberlin College maintains a website with useful information concerning the appropriate use of sources as well as acceptable footnote and bibliographical style. This site is at: www.oberlin.edu/library/research/reference.html.

e. Fabrication: Fabrication occurs when a student consciously manufactures or manipulates information to support curricular and co-curricular work. Some examples of fabrication are:

- (1) Falsifying citations, for example by citing information from a nonexistent reference.
- (2) Manipulating or manufacturing data to support research.
- (3) Taking another student's examination, completing another student's academic exercise, or writing another student's paper.
- (4) Listing sources in the bibliography that were not used in the academic exercise.
- (5) Engaging another individual (whether a part of the college community or from outside of the college community) to complete the student's examination, to complete the student's academic exercise, or to write the student's paper.

f. 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.

g. Other Acts: Students who misrepresent academic information to college officials, for example by falsifying grades, forging college documents, transcripts, records, recommendations, certificates, diplomas, degrees, 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.

C. Scope

The Honor Code applies to all academic work, including but not limited to examinations, quizzes, audiovisual works, presentations, projects (including winter-term projects), papers, recitals, exercises, artistic works, theses and laboratory assignments. Because Oberlin College is an educational institution, this code also applies to any cocurricular work, exercise, or documents that affect the educational experience. Violations of the Honor Code include cheating, plagiarism, fabrication, multiple submissions, and other acts as defined above in section B.2.b-f. (When 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 and/or the Honor System Liaison 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 integrity. 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 violate the Honor Code or to cheat. Students should take steps to ensure that other students cannot violate the Honor Code or cheat from them. Additionally all students must:

- (1) Not condone cheating on the part of others.
- (2) Refuse to assist others in fraudulent acts, efforts to violate the Honor Code, or cheating.
- (3) Ask the professor for clarification if they do not understand how the Honor Code pertains to any given assignment. In the absence of explicit instructions from the professor, students should presume that all work must be their own and that they may only utilize help and resources that are routinely offered by the college to students such as reference librarians and tutors.
- (4) Students must inform the SHC or the professor if they have knowledge of or have observed an infraction of the Honor Code. Failure to report a violation may constitute a violation of the Honor Code of its own accord.
- (5) Students are expected to comply with the Honor System. (Failure to cooperate with the Honor System procedures may result in a failure to comply charge, filed through the Judicial System.)

b. Instructors are expected to make explicit on their syllabi or by some other means of communication how the Honor System operates with respect to the particular work arrangements in their courses. In addition, all instructors must:

- (1) Leave the room during examinations and

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quizzes after giving out the test and answering questions, except in cases when technical or specialized circumstances require the instructor's presence. The instructor may exercise discretion in deciding to 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.

c. Instructors are urged to review the Honor Code and pledge statements prior to any quiz or examination, and to regularly review how these statements apply to specific assignments.

4. At the end of each curricular exercise students who believe they have adhered to the Honor Code shall write in full and sign the Honor Pledge: "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. Once such an oversight has been corrected, within a reasonable time, the faculty members may not penalize the students for it. Students in certain situations may also be asked to write and sign the pledge in association with co-curricular exercises. (For example, completing a written sanction for an Honor Code or a Code of Conduct violation.)

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 publication 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 educational programming as time permits.

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.

b. At least once during each academic year, the SHC shall hold an open meeting in order to report on its work.

c. The General Faculty Honor Committee shall submit a summary (with name[s] and other identifiable information withheld) to the General Faculty 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 administrative 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. Ordinarily, the SHC shall consist of 15 members with 11 being the absolute minimum. Members must be 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. A quorum is defined as the majority of appointed members.

d. Members may be removed from the SHC by a two-thirds majority vote of a quorum of appointed SHC members.

e. The SHC shall have officers for an academic year, including one paid coordinator, one or two chair(s), and a secretary/treasurer, to be selected at the end of the second semester. The outgoing coordinator will provide the Dean of Students (or his or her designee) with a written report announcing the future membership and officers of the SHC within five business days of the selection of the officers.

f. 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. A current SHC chair and the Student Senate Membership Coordinator (or designee) will fill two

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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. (In the event that three senators are not available at the time scheduled for interviews, applicants can interview with both groups separately. The SHC portion of the committee will record its interviews for use by the senate. In this circumstance, the senate portion of the committee is not required to record the interview.)

g. When active membership falls below 15 members, the chair or cochairs of SHC must notify the Student Senate and the Dean of Students (or his or her designee). Then the interview committee shall be reactivated to return the membership to 15 or more. Should the membership fall below 11 then new Honor System hearings will not be scheduled until the membership is returned to 11. The SHC or Student Senate can request that the interview committee reopen the interview process at any time the committee has open seats.

h. Newly appointed members will participate in training that should be provided prior to serving on a hearing panel. However, in the event that there is a need to cover a hearing, not having participated in training shall not be an impediment to service on a panel. Training may include assisting returning members with investigations and observing a hearing without actively participating or voting during deliberations.

F. Procedures of the Honor System

The SHC shall act in all cases of alleged violation of the Honor Code as described in section (A); 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.

The Student Honor Committee administers the Honor System and therefore its work is normally conducted when the college is in session. Timelines spelled out in this document with respect to SHC functions (e.g., SHC investigations and hearings) are subject to delays that may occur due to fall or spring recesses, winter shutdown, winter term, and summer vacation (hereafter “recess periods”). While the SHC may read and respond to e-mail and other correspondence during recess periods, ordinarily, it is not possible to provide for the investigation or adjudication of cases during these periods. Individuals reporting suspected violations are encouraged to submit the reports and supporting documentary information as close to the time of the incident as possible even if it is not reasonable for the case to be investigated during a recess

period. This will allow the information to be documented contemporaneous with the alleged incident.

1. FILING A COMPLAINT

All members of the Oberlin College community are required to report potential violations of the Honor Code when they suspect one has occurred.

Students should report potential violations either to their professor or to the SHC. Professors are to report directly to the SHC, although they may consult with the departmental chair or a member of the FHC prior to making a report in order to verify or test the validity of their suspicion. In situations where a member of the community feels that there may be retribution for reporting the potential violation, the individual may remain anonymous by reporting through the professor. However, all community members are strongly encouraged to be witnesses at cases they have reported through a professor.

a. Students who have violated or who believe they have witnessed the violation of the Honor Code may report the potential violation directly to any member of the SHC at any time. The student may do so by completing and submitting the standard Honor System Complaint Filing form via e-mail to ohonor@oberlin.edu or via campus mail to Wilder Information Desk, Box 22. The form is available for download at www.oberlin.edu/stuorg/shc/.

b. A faculty member, administrator, or staff member suspecting a violation of the code has occurred is responsible for contacting the person or persons suspected of the violation in an effort to seek any clarifying information. If, after that conversation, the faculty member believes that a potential violation has taken place, then the faculty member is urged to ask the student or students to self-report to the SHC. Within two business days of asking the student(s) to self-report, the faculty member must report the incident to the SHC regardless of whether the person(s) suspected of the violation has (have) self-reported.

Submit completed forms via e-mail to ohonor@oberlin.edu or via campus mail to Wilder Information Desk, Box 22. The Honor System Complaint Filing form is available for download at www.oberlin.edu/stuorg/shc/.

c. Faculty Informal Resolution Option: The SHC extends the option for faculty to request consent from the SHC to resolve an incident informally when the faculty member believes that the suspected violation is minor, and if the alleged violator accepts responsibility for the violation. The SHC reserves the right to review each request to determine whether it views the potential violation as a minor one and to verify that the student being reported has no prior reports. The SHC has the sole discretion

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to determine whether an incident may be resolved informally. (For more information about the process see sections F. 2. b.(1) and F. 4. e. below.)

In this instance, faculty should also complete and submit the standard Honor System Complaint Filing Form via e-mail to ohonor@oberlin.edu or via campus mail to Wilder Information Desk, Box 22. The form is available for download at www.oberlin.edu/stuorg/shc/.

d. A student or faculty member observing or having information pertaining to a faculty member not fulfilling his or her obligations under the Honor System is responsible for reporting this to the Faculty Honor Committee (FHC). Such reports will be reviewed by the Faculty Honor Committee and referred to the relevant dean for consideration.

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

2011-12 Officers
Coordinator - Issac Katz
Cochairs - Harriette Carrington,
Dimitri Macris
Secretary - Fajer Saeed
Treasurer - Dimitri Macris

Honor System Liaison:
Kimberly Jackson Davidson,
Associate Dean of Students

2. INVESTIGATION OF COMPLAINTS

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

b. When an alleged violation is brought to the SHC, the committee shall take necessary steps to inform the respondent and inquire into all factors deemed pertinent to the case.

(1) Upon receipt of an alleged violation of the Honor Code, one or two members of SHC shall be appointed Case Managers. However, In the event that a professor has requested an informal resolution (see section F. 2. c. above):

i. The committee will review the request. Approval requires a two-thirds majority vote of a quorum of the appointed committee as defined in section E. Authority in the System: 4. c. and 4. d.

ii. If the request is granted, the professor will meet with the student and a member of the SHC to discuss the incident and

to determine an appropriate educational intervention.

iii. The faculty shall report to the SHC on the result of the educational intervention.

iv. When a faculty member reports that a student has not complied with the decision reached through informal resolution, the SHC reserves the right to investigate the matter and hold a formal hearing regarding the initial report.

c. All documents deemed relevant to the case will be made available to the panel, respondent, and complainant through the Office of the Dean of Students during the business week prior to the scheduled hearing. All panel members must review these documents prior to the hearing.

3. THE HEARING

a. The Case Managers of the honor panel shall schedule a time with the respondent (and the complainant if necessary) in order for the panel to hear the case. The time constraints of the respondent and complainant will be taken into consideration. One of the case managers will chair the hearing. While the respondent and complainant are each permitted to have an individual advisor who is a member of the Oberlin College community present at the hearing, the case managers are not obliged to schedule the hearing around the availability of the advisor(s). If an advisor is absent the hearing will proceed.

b. The respondent and complainant may offer the committee written statements of their positions. Such statement must be submitted at least three business days before the scheduled hearing date.

c. The respondent maintains the right to request the complainant to be present during the hearing, though not necessarily in the room at the same time as the respondent is present. The respondent must declare to case managers the desire to have the complainant present at least five business days prior to the hearing. Following that declaration the case managers will determine the feasibility of the request and accept or deny the request.

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. The respondent also maintains the right to object in writing to proposed members of the Honor Committee serving on the respondent's hearing panel. The respondent must provide an explanation for

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each objection. The written objection(s) must be submitted to the case manager(s) within one (1) business day of the respondent's initial meeting with the case manager(s). Case managers retain the discretion to decide whether to grant or deny the request.

Note: In the event of an emergency, or if a single member of a hearing panel is absent at the time of a scheduled hearing, the chair of the panel may extend to the respondent the opportunity to have the case heard with only four members present. Permission must also be obtained in writing prior to the hearing commencing.

e. Committee members shall maintain privacy 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 customarily recommend, but cannot require the complainant to identify him or herself to the respondent.

f. The respondent is expected to appear at the scheduled hearing. However, in the case of the respondent's absence, the hearing may proceed. In the case of a documented emergency, however, the hearing may be rescheduled at the discretion of the case managers. In such cases, and where possible, the respondent must notify the panel in advance. In addition, a failure by the respondent to appear at the hearing without documented emergency may result in a Failure to Comply charge filed through the Judicial System.

g. All information 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 or present written statements from 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.

h. The committee reserves the right to call other witnesses that it feels will help in the process of gathering information. The presence of a witness may take the form of a physical appearance or a written statement, determined at the discretion of the case managers. Character witnesses are not permitted. The case managers may permit witnesses to withhold their identity from the respondent for reasons the case managers find acceptable.

i. All hearings will be audio recorded.

j. The hearing shall ordinarily consist of, but is not limited to, the following:

(1) At the start of the hearing, the case managers shall introduce the case and all people present shall state their names and other pertinent information.

(2) All documents previously made available to the respondent, complainant, and panel members are brought before the entire group at this time.

(3) If a complainant is present, he or she will present his or her position in the case. The case managers will introduce relevant information at their discretion.

(4) The respondent will present his or her position in the case, and the case managers will introduce relevant information at their discretion.

(5) The panel will question the respondent, and then the complainant for further clarification as needed.

(6) The respondent and complainant may ask questions of each other through the case managers. (If both are not present in the room together, questions may be presented for the panel to be asked when the other party is present. If the complainant is exempt from the hearing and the respondent has some questions prior to the hearing, then the respondent should contact the case managers with the questions at least three days prior to the hearing.)

(7) Witnesses who have been approved by the case manager(s) are allowed to testify and to be questioned by the panel. The complainant and the respondent may question the witnesses through the case managers.

(8) The case managers will inquire whether the respondent understands the events of the hearing that has just taken place and will allow the respondent a reasonable chance to voice any final questions, thoughts, or statements.

4. DELIBERATIONS

a. The panel meets in an executive session within one business day of the hearing to render a decision.

b. Ideally, panelists will arrive at a decision by consensus. A supermajority of four panelists is minimally required to vote that the respondent is in violation of the Honor Code. After a finding of responsibility, a simple majority vote is needed in order to approve sanctions.

c. The Standard of Proof: a respondent shall be found responsible when the information available to

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the board at the hearing leads the panel to believe that it is more likely than not that the alleged violation(s) occurred.

- d.** The committee will be guided (though not bound) by recommended minimum sanctions in order to help ensure equity among cases.
- e.** If there is an informal resolution in the respondent's Honor System record, that resolution may be taken into account during sanctioning. The SHC reserves the right to treat a new incident as a second violation when determining sanctions. (For more information about the process see sections F. 2. b.(1) and F. 2. c. above.)
- f.** From time to time students face charges in more than one college disciplinary system at the same time. Because the Honor and Judicial Systems maintain distinct records, the Dean of Students or (the designee) is authorized to seek information regarding findings and sanctions in current or prior cases that may require administrative coordination among the systems so that each system's sanctions may be fully and effectively enforced.

5. NOTIFICATION OF DECISION AND SANCTIONS

- a.** After a hearing panel reaches a decision, the decision and its explanation will be sent to the Faculty Honor Committee for review; all involved parties will take precautions to protect student privacy in this process.
- b.** If the Faculty Honor Committee requests clarification or reconsideration of the decision, this process will normally occur within five business days of the request.
- c.** Once the Faculty Honor Committee has approved the decision, the Chair of the Faculty Honor Committee will inform the relevant dean in writing. This notice will ordinarily be copied to the SHC. The SHC will then provide the relevant dean with the respondent's and complainant's names and other necessary information. The relevant dean will send a letter notifying the respondent of the decision. The letter will be copied to the complainant (if permitted by applicable law), the SHC, and the Honor System Liaison.
- d.** If the relevant dean does not agree with the recommendation of the SHC as approved by the Faculty Honor Committee, or if the Faculty Honor Committee and SHC are unable to reach an agreement, then the relevant dean will have authority to determine a finding or sanction. However, in such cases the relevant dean must meet with the Faculty Honor Committee and the SHC to hear their views before making any ruling. Every reasonable effort must be made to reach an agreement among the SHC, the Faculty

Honor Committee, and the relevant dean. When the sanctions for an offense include suspension or dismissal, the relevant dean may only deviate from the recommendations of the SHC or the Faculty Honor Committee if the relevant dean determines the proposed sanctions to be grossly disproportionate to the offense. If the relevant dean exercises the authority to impose a sanction, then any appeal is to be handled by the relevant dean of the other division.

- e.** This process of approval and notification will customarily occur in a time frame such that the respondent will be notified of the decision within 15 business days after the hearing.

Exceptions: Decision letters generated as a result of hearings held during the last two to three weeks of the fall semester may be mailed to OCMR boxes during the first two to three weeks of the spring semester if the respondent is enrolled for the spring semester. If the respondent is not enrolled during the spring semester for any reason, the letter may be mailed to the last permanent address on file with the registrar, or to an alternate address that the respondent provides to the SHC at or before the hearing. Decision letters generated as a result of hearings held during the last two to three weeks of the spring semester will be mailed to the last permanent address on file with the Registrar, or to an alternate address that the respondent provides to the SHC at or before the hearing. (According to section V. Y. Mailroom Regulations, students are expected to pick up mail daily.)

- f.** Failure to retrieve one's mail is not an excuse for not completing a sanction. Individuals who do not complete sanctions for this reason may face a Failure to Comply charge with the Judicial System.

- g.** The respondent and complainant may contact the case managers for any available explanation of the decision.

- h.** 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) Reflective paper and/or revision of the work in question.
- (3) Educational Service
- (4) The loss, limitation, or restriction of certain nonessential rights in the college,

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such as participation in extracurricular activities or representing the college off campus.

(5) A recommendation that the instructor issue a failing grade, or no grade at all, for the assignment. Ultimately, the instructor maintains the right to assign a failing grade for the assignment or the course.

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

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

(8) 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 readmission. However, the returning student must go through a reinstatement process that is initiated through the Office of the Registrar. The following will normally accompany this sanction of suspension:

- i. Parental Notification.
- ii. Restriction from college property for the duration of suspension. The Office of Safety and Security will ordinarily enforce this restriction by issuing a no trespass letter to the suspended individual and by adding the individual's name to the trespass list it maintains.
- iii. Students who are suspended are expected to vacate their college residence within two business days of notification being delivered to the campus mailroom by the SHC. It is the student's responsibility to consult with the Department of Residential Education to clarify any questions about its guidelines for properly vacating a housing unit.

The sanction of suspension will be a part of a student's permanent disciplinary record, and part of the student's academic record and transcript for the term of suspension. In the event a student withdraws from the college prior to the end of the term of suspension, the penalty will remain on both the permanent academic and disciplinary records.

Normally, suspended students may not earn credits toward their Oberlin degree until after they have been reinstated at Oberlin College... Under special circumstances, a suspended

student may be permitted to transfer a maximum of six credits for academic work done at another school—during the period of suspension—toward his or her Oberlin degree. However, the student must receive permission in advance of taking coursework at another school, and must make arrangements for the transfer of credit prior to enrolling in the courses to be transferred. Students seeking transfer credit must apply in writing to the Dean of Studies providing the following information: title and description of each course; number of credit hours; name and location of institution; an explanation of how each course fits into the student's Oberlin program; why it is more appropriate to the course(s) while suspended than upon return to Oberlin.

For more detailed information consult with staff in the Office of the Dean of Studies, Peters 205, (440) 775-8540.

(9) Dismissal: The permanent termination of student and degree-candidate status at Oberlin College. This sanction may be imposed only in the most serious of cases, or when a student has been suspended previously and commits another offense determined to constitute grounds for imposition of a second suspension. This sanction will permanently remain on a student's academic record.

- b. The above sanctions may be assigned individually or in combination at the discretion of the SHC.
- c. In the case of a first offense the administrative notation of honor probation may not appear on the violator's official transcript, held in the Office of the Registrar, but will be released with other academic or disciplinary information upon the violator's written request, but only when the SHC notes in its decision letter that the findings and sanctions are meant for "external report."
- d. Failure to comply with the sanctions imposed by the committee shall result in a Failure to Comply complaint filed with the Oberlin College Judicial System. In the event that such a complaint is filed, the content of the case file including correspondence between committee members and the respondent may be offered to the Judicial Coordinator as documentary information.

Students' Rights and Responsibilities (cont.)

e. In the case of a second violation, the committee is urged to adopt a sanction of suspension, or dismissal. In the case of a graduating senior, suspension may be substituted by refusing to allow the violator to participate in commencement exercises and/or delaying by a semester or more the awarding of an Oberlin degree.

f. If a degree is withheld or a student is suspended or dismissed as a result of being found responsible for an Honor Code violation, the sanction will be retained as part of the permanent Honor System record held in the Office of the Dean of Students. In addition, the sanctions shall be recorded on the respondent's official transcript and reflect that the sanction is the result of an Honor Code violation for the term of the sanction. After the term of the sanction has been fulfilled, normally the notation will be removed from the transcript; however, all suspensions will remain a part of the individual's permanent Honor System record. As noted in 6.a. above, if a student who has been suspended withdraws from Oberlin College before the term of suspension ends, then the notation of suspension shall remain on the individual's transcript permanently. The Office of the Dean of Students shall release this information with other academic or disciplinary information upon the violator's written request.

g. If, in response to a second offense, the Student Honor Committee imposes sanctions other than those urged in section 6.a., the sanctions will only be recorded on the individual's Honor System record. Such sanctions shall be released with other academic or disciplinary information upon the individual's written request for up to seven years following the notification of the findings of the original hearing panel.

7. APPEAL

a. Appeals may be granted for four reasons:

- (1) A mishandling of the case from a procedural standpoint.
- (2) A sanction grossly disproportionate to the violation(s).
- (3) New information 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 that could not reasonably be reported prior to the scheduled hearing.

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 10 business days after the student has been notified of the decision via registered campus mail (or registered U.S. mail during a recess period and the letter is mailed to an off-campus address.) The letter to the dean from the respondent must indicate which of the four reasons above is pertinent and give a clear rationale explaining why the appeal should be granted. The letter must be submitted under the cover of the appeal request form mailed to the respondent with the final decision letter.

Note: The date that the letter is delivered to the campus mailroom will begin the 10 business day appeal period. It is the responsibility of the respondent per college policy to check the personal OCMR box on a regular basis during times when classes are in session (see section V. Y. Mailroom Regulations.) The respondent is responsible for presenting the claim slip to mailroom staff in order to obtain the decision letter. Failure to claim a decision letter may result in a Failure to Comply complaint filed with the Judicial System. When school is not in session the default address is the most recent permanent address on file with the Registrar, unless the respondent provides the case manager(s) a preferred mailing address at or before the hearing. Respondents are required to complete and submit their appeal within 10 business days. recess periods do not stay the appeal submission deadline.

d. Upon receiving an appeal letter the relevant dean has the authority to uphold, reduce or increase the sanctions imposed. Prior to rendering a decision in response to an appeal the relevant dean (or the relevant dean's designee) will review the case file and investigate to determine whether the appeal is substantive. The relevant dean shall give deference to the recommendations made by the Student Honor Committee and approved by the Faculty Honor Committee when responding to appeals. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding, unless the relevant dean determines that significant prejudice to the respondent may result from a decision to uphold the recommendation of the Student Honor Committee as approved by the Faculty Honor Committee. When the sanctions for an offense include suspension or dismissal, the sanctions may only be reduced when the relevant dean (following consultation with representatives of the hearing panel and the Faculty Honor Committee who recommended the original decision) determines the sanctions to be grossly disproportionate to the offense.

Students' Rights and Responsibilities (cont.)

e. The relevant dean is urged to communicate the appeal decision to the respondent, complainant, and the SHC within 10 business days, together with a brief rationale. Recess periods generally should not delay the response deadline.

f. In the event that the relevant dean upholds the recommendation of the Student Honor Committee, an ultimate appeal may be made to the President of the College (or the President's designee) in writing within 10 business days of the relevant dean's decision. Recess periods do not stay the appeal submission deadline. The president's decision (or that of the president's designee) is final.

8. RECORDS

It is the policy of the college not to release copies of disciplinary records, Honor System records and proceedings, judicial case files, or investigative files to students or to third parties, unless required by law. Records are available for the student's inspection in the Office of the Dean of Students upon submission of a signed written authorization form. (For more information regarding access to Honor System records please see the full colleg records policy; Student Records section, AA. 5. a. and b.)

a. The full official record of the case including the respondent's name shall be kept on file in the Office of the Dean of Students. These files will be accessible to the Student Honor Committee, the Dean of Students, the Honor System Liaison, and the divisional deans and their designees only as is consistent with applicable law and the college's policy on student records or other applicable college regulations pertaining to student privacy. The divisional deans, the Dean of Students and the Honor System Liaison to support the administrative efforts of these officers may maintain an abridged working record of cases containing the respondent's name and case number.

b. Honor System records will be maintained separately from the records of other college disciplinary systems such as the Judicial System. However, as noted in section F.4.f. of this Charter the Dean of Students or designee is authorized to review information regarding findings and sanctions in current or prior cases that may require administrative coordination among the systems so that each system's sanctions may be fully and effectively enforced.

c. When the SHC is satisfied that the sanctions for a first offense have been fulfilled, the notation of probation shall remain on the violator's Honor System record held in the Office of the Dean of Students. It shall be noted that the action was taken as a result of a first violation of the Honor Code. When the decision letter for a case contains

the designation "for external report," the file will be maintained permanently. If the letter does not indicate that the decision is for external report, then the file along with any audio recordings associated with it will be destroyed seven years following the notification of the findings of the original hearing panel in accord with section 8.b. above.

d. When a respondent has a diploma withheld, the sanction is noted on the transcript during the time of the sanction. It shall be noted on the respondent's transcript that the "diploma or degree is being withheld pending a disciplinary process." The honor system file will be maintained permanently.

e. If the notation of a penalty is to be retained permanently on the student's Honor System record in the Office of the Dean of Students (as provided under section d. above), the record of the case likewise shall be kept permanently. Otherwise this record (including any associated audio recordings) shall be destroyed seven years following the notification of the findings of the original hearing panel.

f. When a respondent is suspended, the respondent's transcript shall normally reflect a notation of "Honor Code suspension" during the term of suspension, until the respondent is eligible to be reinstated. See section F. 6. a.(8) for more detail. Notations of dismissal that result from Honor System proceedings will remain on the transcript permanently, and the Honor System file will be maintained permanently.

g. The Student Honor Committee Coordinator shall maintain, update annually, and provide to the Honor System Liaison in the Office of the Dean of Students a database including at least the names of respondents, charges, committee findings, and sanctions imposed. The database will be used to help the Dean of Students (or the dean's designee) to complete dean certification forms and letters in response to a written request of a respondent.

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, the Student Life Committee, and the General Faculty (or the General Faculty Council.)

2. The Honor System will be reviewed every year ending in 3, 6, and 9 using a process approved by the Dean of Students. The SHC is encouraged to conduct an informal review each year to determine whether minor amendments are needed.

Students' Rights and Responsibilities (cont.)

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

Students' Rights and Responsibilities (cont.)

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.

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,

Students' Rights and Responsibilities (cont.)

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

Students' Rights and Responsibilities (cont.)

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.

g. Any committee may designate up to two of its members as nonvoting 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 outlines 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.

Students' Rights and Responsibilities (cont.)

- 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, see section IV. E. sections 2 and 3.

- 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 see section II, E. section 4. a.-g.

- 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 Members of Student Government

Compensation for members of the student government found eligible by this constitution will be paid through an hourly wage. The wage shall be set at the minimum wage according to the student employment pay scale.

a. Members of the student government found eligible to receive compensation must fulfill all of their duties outlined in this constitution and the charters of their respective institutions. Members cease to receive compensation upon removal from their respective institution.

b. Members of the student government eligible to receive compensations shall be paid directly from the student activity fee budget. Student government institutions must apply to their respective budgeting organization for additional funding, as outlined by this constitution.

c. The student government members found eligible by the Association of Students to receive compensation are the Senators of the Student Senate and the members of the SFC. Each government institutions' eligibility for compensation must be reaffirmed biannually. 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 nonvoting 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.

Students' Rights and Responsibilities (cont.)

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, nonvoting 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.

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, Student Life Committee and General Faculty.

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.

C. Student Organizations, Clubs, Associations, Publications

Any group of students is free to organize for any purpose in accordance with the regulations of Oberlin College. Advisors to student organizations will be chosen or approved annually by the organizations concerned. All student organizations are subject to the by-laws of the Student Senate and in concurrence with the General Faculty Student Life Committee and the General Faculty.

All procedures related to the initiation of new charters, the amendment of existing charters, or the re-initiation of inactive charters should be presented by the student organization, and should be directed to the Wilder Student Union office. All charters and their amendments are subject to the approval of the Student Senate, the General Faculty Student Life Committee, and the General Faculty. Copies of all charters are on file at the Student Union.

All student organization funds are subject to the provisions of the Student Financial Charter.

D. Secret Societies

No secret society is allowed at Oberlin, and no other societies or self-perpetuating organizations are allowed among students, except by permission of the faculty. This is to be understood to include social and rooming-house clubs.

E. Athletics

The supervision and control of official athletic activities of the college is the responsibility of the Department of Athletics and Physical Education. The department has the counsel and assistance of an Advisory Committee on Athletics consisting of members of the General Faculty and students.

Oberlin College is a member of the North Coast Athletic Conference and the National Collegiate Athletic Association. The rules of the college and of these conferences and associations govern intercollegiate athletics for men and women.

No student may officially represent Oberlin College in any intercollegiate athletic contest without the prior approval of the Department of Athletics and Physical Education.

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

Students' Rights and Responsibilities (cont.)

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.

Students' Rights and Responsibilities (cont.)

- 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

1. 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).
2. Student organizations are chartered according to the established procedures of the Student Senate and the General Faculty.
3. 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.
4. No organization shall be required to submit a membership list to the college.
5. 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.

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:

1. The freedom to express views on institutional policy.
2. The right of students to be appropriately informed of decisions that may affect student life and the right to offer opinions of such decisions.
3. 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.
4. 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. (See Students' Rights and

Students' Rights and Responsibilities (cont.)

Responsibilities, Section V. Social Conduct Regulations L. and M.)

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 and college officials who are eligible for appointment to

General Faculty committees according to the regular General Faculty appointment process.

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.

Students' Rights and Responsibilities (cont.)

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, 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.

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 *Student Regulations, Policies, and Procedures* or any other official institutional publication, except 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. Hazing of any member of the college community by campus organizations, clubs, intercollegiate or intramural athletic teams, students, employees and volunteers. The state of Ohio acknowledges hazing as a crime. The Ohio Revised Code defines hazing as “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.” (2307.31)

The college further defines hazing as any activity that is expected of someone to join or maintain membership in an organization, club, team and/or any other group that is affiliated with the college that humiliates, degrades, abuses or endangers him or her, regardless of intention or willingness to participate. (For more details about Oberlin College’s Policy on Hazing see Students’ Rights and Responsibilities section V., Social Conduct and Regulations EE.)

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 Regulations 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

Students' Rights and Responsibilities (cont.)

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 patterned verbal (oral, written, or electronic communications, including: e-mail, text messages or other electronic media devices) acts or physical behavior related in time that deprive 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 harm or mental harm.
- c. 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.
- d. Forms of harassment as defined by the Sexual Offense Policy and the Faculty Statement on Racial Abuse and Harassment.
- e. 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 Student 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 for Student 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.

Students' Rights and Responsibilities (cont.)

6. NONADHERENCE 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 bongs, hookahs, 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.

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 dismissal, 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

Students' Rights and Responsibilities (cont.)

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 website. 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 regular process for establishing General Faculty Committees) and six students (appointed by Student Senate) shall constitute the Community Board. Two students and two faculty members, plus the chair, 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 prior to the hearing.

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 nonvoting 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 dismissal must be approved by the Community Board.

d. The Community Board will be the Board of original jurisdiction for cases judged by the Judicial Coordinator to involve a) obstruction or disruption of the essential operations of the college or b) non-academic disputes between faculty members and students. In addition, a Judicial Coordinator may elect to assign Community Board as the board of original jurisdiction for cases that he or she believes could result in a sanction of suspension or dismissal. This assignment may be made for incidents that follow multiple previous violations of college policies; allegations of violent behavior; illegal behavior such as drug possession, use, and/or sales; arson; weapons possession; or other acts that pose a credible threat to the individual or the community. (Approved by General Faculty in February 21, 2007.)

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.

Students' Rights and Responsibilities (cont.)

- 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.

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 resident 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 nonreported 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:

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- (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 dismissal) 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 cochairs 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 dismissal) 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

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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 the opportunity to have that advisor present at both the meeting with the Judicial Coordinator 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 nonvoting 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 is 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 one business day after the hearing.

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- 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 nonvoting 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

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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.

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 dismissal, 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 nonexhaustive 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

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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 dismissal 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 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 if (1) all sanctions imposed are not completed satisfactorily and by a specified date, and/or (2) the student is found responsible for another violation during the deferred probation period.

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: Normally, suspended students may not earn credits toward their Oberlin degree until after they have been reinstated at Oberlin College. Under special circumstances, a suspended student may be permitted to transfer a maximum of six credits for academic work done at another school—during the period of suspension—toward his or her Oberlin degree. However, the student must receive permission in advance of taking coursework at another school, and must make arrangements for the transfer of credit prior to enrolling in the courses to be transferred. Students seeking transfer credit must apply in writing to the Dean of Studies providing the following information:

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title and description of each course; number of credit hours; name and location of institution; an explanation of how each course fits into the student's Oberlin program; why it is more appropriate to the course(s) while suspended than upon return to Oberlin. For more detailed information consult with staff in the Office of the Dean of Studies, Peters Hall 205, (440) 775-8540.

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

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 predetermined 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. DISMISSAL

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 DISMISSAL 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 dismissal 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 dismissal) 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 Modification

The Judicial System will be reviewed every other year by the Judicial Coordinator and a subcommittee 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

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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, the Grounds Department, or designated building representatives will remove postings that are in violation of the following regulations. Postings on undedicated (i.e., nondepartmental, nonorganizational) 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) Guidelines have been developed regarding responsible alcohol service. The guidelines include guidance for responsibly publicizing events where alcohol will be served. Students planning events in college housing must be acquainted with the relevant language in the policy or residence hall party planning. The policy is available in the Office of Residential Education.

(7) Some campus buildings (such as Mudd Center 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 (see paragraph 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.

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(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. (These materials are very difficult to remove and cause 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:

1. 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 Student Life Committee.

2. 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

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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, the college deems 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 Nontraditional Housing and Nonresidential 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.

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

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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 Allen 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 the 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,

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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 the 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 focus 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 paragraph 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 paragraph 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 authorized 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" (paragraph 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,

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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 4 below).

(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.

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- 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 antidiscrimination 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 website, or similar advertising—must be given for an open meeting.

4. IDENTIFICATION

- a. According to college regulations, students must show and/or surrender their ID 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 nonattendees 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

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acceptable. Chanting, coughing, or making other sustained or repeated noise in a manner 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 nonpartisan. 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.** Dismissal from the meeting or event.
- b.** Arrest or other legal action.

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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) Dismissal.

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. Oberlin College Policy on Discrimination and Harassment

As of its effective date, December 31, 2010, this Policy on Discrimination and Harassment (the policy) incorporates and supersedes all other policies, procedures, and statements on discrimination and harassment previously adopted or issued by Oberlin College and/or its faculty, students, or employees.

1. POLICY STATEMENT

Oberlin College is committed to creating an institutional environment free from discrimination and harassment for students and employees. Thus, discrimination and harassment based on the following categories are prohibited: race, color, sex, marital status, religion, creed, national origin, disability, age, military or veteran status, sexual orientation, family relationship to an employee of Oberlin College, and gender identity and expression. [NOTE: In affirming the prohibition against discrimination and harassment on these bases, Oberlin College also affirms its compliance with applicable laws. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex, or national origin, and the Age Discrimination in Employment Act of 1967 prohibits employment discrimination based on age against individuals who are 40 years of age or older. Other federal laws prohibit discrimination against individuals in programs or activities that receive federal financial assistance. These laws prohibit discrimination on the basis of race, color, or national origin (Title VI of the Civil Rights Act of 1964), sex (Title IX of the Education Amendments of 1972), disability (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990), and age (Age Discrimination Act of 1975). In addition, Chapter 4112 of the Ohio Revised Code prohibits discrimination in various contexts based on race, color, religion, sex, military status, national origin, disability, age, or ancestry. Likewise, Section 1185.02 of the Codified Ordinances of Oberlin prohibits discrimination in housing based on race, color, religion, sex, sexual orientation, ancestry, handicap, familial status, or national origin of any prospective owner, occupant or user of the housing.]

In addition, should any applicable law be enacted in the future prohibiting discrimination and/or harassment based on a category not listed above, or should there be other changes in the applicable law governing discrimination and/or harassment, this Policy will be deemed amended to the extent necessary to reflect such changes.

Oberlin College deplors incidents of discrimination or harassment wherever they may occur—for example between students, between employees, and between students and employees. The college is especially mindful of its obligation to seek learning opportunities for its students. Discrimination or harassment, 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. Perpetrators of such behavior can be subject to College adjudication processes, including disciplinary action up to and including termination, suspension, and expulsion as appropriate. The community is further advised that recourse can be sought through the Equal Employment Opportunity Commission (EEOC), the Office of Civil Rights (OCR), the Ohio

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Commission on Civil Rights, or the courts. This policy does not limit the rights of an individual to seek remedies available under state or federal law.

2. DEFINITIONS

Harassment is unwelcome speech or conduct (e.g., physical, oral, graphic, or written) related to one or more of the categories listed above that is sufficiently severe, persistent or pervasive so as to (a) interfere substantially with a person's work or education or (b) create an environment that a reasonable person would find hostile, offensive, or intimidating.

Discrimination is any decision, act, or failure to act that substantially interferes with a person's work or education when such decision, act, or failure to act is based on the categories listed above. Discrimination also includes retaliation: retaliation is any decision, act, or failure to act that substantially interferes with a person's work or education when such decision, act, or failure to act is based on that person's opposition to discrimination or that person's participation in a process aimed at addressing an allegation of discrimination. Further, the college does not discriminate in admission or access to, or treatment or employment in, any college program or activity.

In particular, Oberlin College affirms that no qualified person with a disability shall, on the basis of that disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any college program or activity. A person with a disability is any person who has a physical or mental impairment substantially limiting one or more major life activities, has a record of having such an impairment, or is regarded as having such an impairment.

3. GRIEVANCE PROCEDURES FOR COMPLAINTS OF DISCRIMINATION AND HARASSMENT

a. Notice.

Notice of this policy, including notice of the college's prohibition against discrimination and the procedures for filing complaints of discrimination and harassment, shall be provided as follows to students, employees, and third parties:

- (1) The policy shall be placed on the college's website in multiple locations, including the web pages of the Office of Equity Concerns, the Office of Disability Services, and the Office of the Vice President, General Counsel and Secretary.
- (2) The policy shall be provided to all new employees and incoming students.
- (3) Changes in the policy shall be promptly reflected on the college's website, and announcements of the changes shall issue through electronic bulletins and annual hard-copy updates to employees and students.
- (4) Notice of the college's prohibition against discrimination and the names and contact information of the compliance coordinators and other administrators

named in this policy shall be placed in all materials relating to recruitment of students and employees.

b. Applicability.

The grievance procedures provided in this policy shall apply to complaints alleging discrimination and harassment carried out by employees, students, and/or third parties.

c. Intake of Complaints, Informal Resolution Process, and Complaint Administration.

All complaints of discrimination and harassment should be filed in writing with the Special Assistant for Equity Concerns by e-mail to camille.hamlin.allen@oberlin.edu or by U.S. mail addressed to Camille Hamlin Allen, Special Assistant for Equity Concerns, 173 West Lorain Street, Room 201, Oberlin, OH 44074, (440) 775-8555. As noted below in c. and d., complaints alleging discrimination or harassment based on disability, race, color, religion, creed, national origin, age, military or veteran status, and family relationship to an employee of Oberlin College may also be filed directly with the appropriate administrator designated to address such complaints, and the Special Assistant for Equity Concerns shall coordinate recordkeeping regarding such complaints. All complaints shall be treated as filed as of the date they are received. Complaints must be filed within one calendar year of the date of the last act of discrimination.

Following filing, complaints shall be processed as follows. In determining which set of procedures shall apply to a complaint alleging multiple types of discrimination and/or harassment, the Special Assistant for Equity Concerns shall consult with the Chair of the Equity and Diversity Committee and the Vice President, General Counsel and Secretary to reach a determination and shall communicate that determination to the complainant in writing within five business days.

In advance of filing a complaint, any student or employee of the college may elect to consult with the Special Assistant for Equity Concerns or any other administrator named in the policy to seek additional information about the policy and the grievance procedures. Such consultation is not a prerequisite for filing a complaint.

An informal resolution process, such as mediation, with the appropriate involvement of designated administrators is available for all complaints, with the exception of complaints alleging sexual assault, sexual battery and/or rape. Voluntary mediation shall not be used to resolve complaints alleging these types of assault. [NOTE: This description of the availability of voluntary informal mechanisms to resolve discrimination and harassment complaints is consistent with the April 4, 2011, "Dear Colleague Letter" on sexual violence issued by the U.S. Department of Education, Office of Civil Rights.]

All time frames provided in this policy shall constitute the time frames within which the policy normally shall be implemented, and shall apply to days on which the college is in session. The college is in session from the first day of

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enrollment until the last day of the spring term, except for official college holidays, spring and fall breaks, winter shut down, and winter term. During all other times, the college shall ensure the reasonably prompt intake, processing, and resolution of complaints.

Any individual who is designated or requested to respond to a complaint of discrimination or harassment under this policy must immediately recuse himself or herself upon becoming aware of any reason for which he or she cannot conduct an adequate, reliable, and impartial investigation, including but not limited to a conflict of interest concerning the complainant, respondent, or any other person involved in the complaint.

(1) Allegations of discrimination or harassment based on sex, marital status, sexual orientation, and/or gender identity and expression. The college has designated a Title IX Coordinator to coordinate the college's efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972, including the investigation of allegations of discrimination or harassment based on sex as well as such allegations of discrimination based on marital status, sexual orientation, and/or gender identity and expression. For the 2011-12 academic year, the name and contact information of the Title IX Coordinator are as follows: Camille Hamlin Allen, Special Assistant for Equity Concerns, 173 West Lorain Street, Room 201, Oberlin, OH 44074, (440) 775-8555, camille.hamlin.allen@oberlin.edu.

These allegations shall be investigated and resolved pursuant to the standards and time frames provided in the Sexual Offense Policy and Procedural Guidelines at new.oberlin.edu/office/equity-concerns/. Please see below for the process that shall apply to allegations of discrimination in the college's athletics program.

(2) Allegations of discrimination based on sex in athletics. Within five business days of filing, the Special Assistant for Equity Concerns, serving as the Title IX Coordinator, shall send written notice of receipt of the complaint to the complainant and shall notify the Athletics Equity Coordinator of the complaint. The Athletics Equity Coordinator shall be an administrator in the athletics department designated by the Director of Athletics and Physical Education to implement grievance procedures regarding allegations of discrimination based on sex in athletics, in consultation with the Special Assistant for Equity Concerns.

In advance of filing a complaint, and in addition to the informational/informal resolution processes described above, any student or employee may elect to seek an informal resolution of his or her concerns by consulting with the Athletics Equity Coordinator. In the case of a varsity sports participant, such informal resolution may include consultation with his or her coach. Such consultation or informal resolution is not a prerequisite for filing a complaint.

For the 2011-12 academic year, the name and contact information of the Title IX Coordinator are as follows: Camille Hamlin Allen, Special Assistant for Equity Concerns, 173 West Lorain Street, Room 201, Oberlin, OH 44074, (440) 775-8555, camille.hamlin.allen@oberlin.edu. For the 2011-12 academic year, the name and contact information of the Athletics Equity Coordinator are as follows: Natalie Winkelfoos, Associate Athletics Director, Philips Gym 214, 200 Woodland Street, Oberlin, OH 44074, (440) 775-6463, natalie.winkelfoos@oberlin.edu.

The Title IX Coordinator shall subsequently take the following steps to investigate the complaint. At all times, the Title IX Coordinator shall advise each person involved in the investigation that he or she is to keep the matter confidential.

- i. The Title IX Coordinator shall interview the complainant and the person against whom the complaint has been filed (the respondent).
- ii. The Title IX Coordinator shall provide both the complainant and the respondent with the opportunity to identify relevant witnesses and evidence. With the assistance as necessary of the Athletics Equity Coordinator, the Title IX Coordinator shall interview any such witnesses and review any such evidence.
- iii. The Title IX Coordinator shall consult with the Athletics Department and the Office of the Dean of Students, as well as any other appropriate offices.
- iv. Based on the information presented, the Title IX Coordinator shall identify any additional relevant sources of information. With the assistance as necessary of the Athletics Equity Coordinator, the Title IX Coordinator shall examine these sources of information.
- v. Within 45 days of receipt of a complaint, the Title IX Coordinator shall issue a report and recommendation containing a) a determination whether the preponderance of the evidence supports the allegation(s), with a description of the investigation as necessary; b) a recommendation for appropriate action. This report and recommendation shall be provided to the President or his or her designee.

If the report states a determination that the preponderance of the evidence supports the allegation(s), the President or his or her designee shall render a decision on appropriate action, including but not limited to disciplinary action, after discussions with the Athletics Department and/or the Office of the Dean of Students, within 10 days of receipt of the report. If relevant to an assessment of potential disciplinary action, the President or his or her designee may consider the total institutional record of the respondent. Written notification of the decision of the President or designee shall issue to the complainant, the respondent, and the Title IX Coordinator. The notification shall include a description of any steps the college shall take to prevent the recurrence of any discrimination or harassment and

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to correct discriminatory effects on the complainant and others, if appropriate.

The respondent, complainant, or Title IX Coordinator may present written arguments to the President or his or her designee appealing the decision of the President or designee within five days of the issuance of the decision. The President or his or her designee will have five days from receipt of such written arguments to act.

(3) Allegations of discrimination or harassment based on disability. The college has designated a Section 504/ADA Coordinator to coordinate the College's efforts to comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Within five business days of filing, the Special Assistant for Equity Concerns shall forward allegations of discrimination or harassment based on disability to the Section 504/ADA Coordinator. Allegations of discrimination or harassment based on disability may also be filed in writing directly with the Section 504/ADA Coordinator. Within five business days of receipt of a complaint, the Section 504/ADA Coordinator shall send written notice of receipt of the complaint to the complainant. For the 2011-12 academic year, the name and contact information of the Section 504/ADA Coordinator are as follows: Kimberly Jackson Davidson, Associate Dean of Students, Wilder Hall 105, 135 West Lorain Street, Oberlin, OH 44074, (440) 775-8462, kimberly.jackson.davidson@oberlin.edu.

The Section 504/ADA Coordinator shall subsequently take the following steps to investigate the complaint. At all times, the Section 504/ADA Coordinator shall advise each person involved in the investigation that he or she is to keep the matter confidential.

- i. The Section 504/ADA Coordinator shall interview the complainant and the person against whom the complaint has been filed (the respondent).
- ii. The Section 504/ADA Coordinator shall provide both the complainant and the respondent with the opportunity to identify relevant witnesses and evidence. With the assistance as necessary of the Equity and Diversity Committee, the Section 504/ADA Coordinator shall interview any such witnesses and review any such evidence.
- iii. The Section 504/ADA Coordinator shall consult with appropriate offices depending on the constituencies represented in the complaint. If the complaint involves a student, the Section 504/ADA Coordinator shall consult with the Office of the Dean of Students and, as appropriate, with the Office of Disability Services. If the complaint involves a faculty member, the Section 504/ADA Coordinator shall consult with the appropriate divisional dean's office. If the complaint involves a staff member, the Section 504/ADA Coordinator shall consult with the Manager of Employee Relations.

iv. Based on the information presented, the Section 504/ADA Coordinator shall identify any additional relevant

sources of information. With the assistance as necessary of the Equity and Diversity Committee, the Section 504/ADA Coordinator shall examine these sources of information.

v. Within 45 days of receipt of a complaint, the Section 504/ADA Coordinator shall issue a report and recommendation containing a) a determination whether the preponderance of the evidence supports the allegation(s), with a description of the investigation as necessary; b) a recommendation for appropriate action. This report and recommendation shall be provided to the President or his or her designee.

If the report states a determination that the preponderance of the evidence supports the allegation(s), the President or his or her designee shall render a decision on appropriate action, including but not limited to disciplinary action, after discussions with the Office of Disability Services, the Office of the Dean of Students, the appropriate divisional dean's office, and/or the Manager of Employee Relations, considering the constituency of the respondent, within 10 days of receipt of the report. This decision may consider the total institutional record of the respondent. Written notification of the decision of the President or designee shall issue to the complainant, the respondent, and the Section 504/ADA Coordinator. The notification shall include a description of any steps the College shall take to prevent the recurrence of any discrimination or harassment and to correct discriminatory effects on the complainant and others, if appropriate.

The respondent, complainant, or Section 504/ADA Coordinator may present written arguments to the President or his or her designee appealing the decision of the President or designee within five days of the issuance of the decision. The President or his or her designee will have five days from receipt of such written arguments to act.

(4) Allegations of discrimination or harassment based on race, color, religion, creed, national origin, age, military or veteran status, and family relationship to an employee of Oberlin College. Within five business days of filing, the Special Assistant for Equity Concerns shall forward such allegations to the Chair of the Equity and Diversity Committee. Such allegations may also be filed in writing directly with the Chair of the Equity and Diversity Committee. Within five business days of receipt of a complaint, the chair shall send written notice of receipt of the complaint to the complainant. For the 2011-2012 academic year, the name and contact information of the cochairs are as follows: for fall 2011 - Kimberly Jackson Davidson, Associate Dean of Students, and for spring 2012 - Adrian Bautista, Associate Dean of Student Life Wilder Hall 105, 135 West Lorain Street, Oberlin, OH 44074, (440) 775-8462, kdavidso@oberlin.edu and abautist@oberlin.edu.

The chair shall subsequently designate a committee of three members of the Equity and Diversity Committee to investigate the complaint. At all times, this

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investigation committee shall advise each person involved in the investigation that he or she is to keep the matter confidential.

The investigation committee is free to conduct any task related to the investigation as a group or to delegate tasks to individual members. Thus, all references below to the investigation committee denote the individual or group conducting any particular task.

- i. The investigation committee shall interview the complainant and the person against whom the complaint has been filed (the respondent).
- ii. The investigation committee shall provide both the complainant and the respondent with the opportunity to identify relevant witnesses and evidence. The investigation committee shall interview any such witnesses and review any such evidence.
- iii. The investigation committee shall consult with appropriate offices depending on the constituencies represented in the complaint. If the complaint involves a student, the investigation committee shall consult with the Office of the Dean of Students. If the complaint involves a faculty member, the investigation committee shall consult with the appropriate divisional dean's office. If the complaint involves a staff member, the investigation committee shall consult with the Manager of Employee Relations.
- iv. Based on the information presented, the investigation committee shall identify any additional relevant sources of information. The investigation committee shall examine these sources of information.
- v. Within 45 days of receipt of a complaint, the investigation committee shall issue a report and recommendation containing a) a determination whether the preponderance of the evidence supports the allegation(s), with a description of the investigation as necessary; b) a recommendation for appropriate action. This report and recommendation shall be provided to the President or his or her designee, to the Chair of the Equity and Diversity Committee, and to the Special Assistant for Equity Concerns.

If the report states a determination that the preponderance of the evidence supports the allegation(s), the President or his or her designee shall render a decision on appropriate action, including but not limited to disciplinary action, after discussions with the Office of the Dean of Students, the appropriate divisional dean's office, and/or the Manager of Employee Relations, considering the constituency of the respondent, within 10 days of receipt of the report. This decision may consider the total institutional record of the respondent. Written notification of the decision of the President or designee shall issue to the complainant, the respondent, and the Chair of the Equity and Diversity Committee. The notification shall include a description of any steps the college shall take to prevent the recurrence

of any discrimination or harassment and to correct discriminatory effects on the complainant and others, if appropriate.

The respondent or complainant may present written arguments to the President or his or her designee appealing the decision of the President or designee within five days of the issuance of the decision. The President or his or her designee will have five days from receipt of such written arguments to act.

d. Review of the Policy.

At least every second year, the Equity and Diversity Committee shall undertake a review of the policy, the implementation of the policy, and education about the policy in consultation with the administrators designated in the Policy, and, if necessary, will recommend revisions to the Vice President, General Counsel and Secretary. In addition, the Title IX Coordinator, Section 504/ADA Coordinator, and the Chair of the Equity and Diversity shall conduct regular meetings to coordinate complaint processing and to develop and implement a protocol for maintaining and reporting data on complaint resolutions.

J. Sexual Offense Policy and Procedural Guidelines

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 are involved in sexual offense reports.

Allegations of discrimination or harassment based on sex, marital status, sexual orientation, and/or gender identity and expression shall be investigated and resolved pursuant to the standards and time frames provided in the Sexual Offense Policy and Procedural Guidelines at new.oberlin.edu/office/equity-concerns/.

The college has designated a Title IX Coordinator to coordinate the college's efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972, including the investigation of allegations of discrimination or harassment based on sex as well as such allegations of discrimination based on marital status, sexual orientation, and/or gender identity and expression.

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

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if the student is not enrolled in the faculty member's class. Also prohibited, with the same exceptions, are sexual relationships between staff 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 substantially 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 (See *Faculty Guide*, Appendix A, reproduced below as Appendix 6) apply to all nonstudent employees, married or not, who enter into sexual relationships. 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, which calls attention to gender, sexuality, gender identity or sexual orientation of persons in a manner, which 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 which 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 which has the purpose or effect of unreasonably interfering with an individual's performance or which 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 comments, gestures, jokes, pictures, objects or touching—which 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 or attempted coercion with or without the use of physical force for the purpose of sexual relations; or sexual contact or attempted contact to which any party involved does not give full and free consent.

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 Policy Review Committee (SOPRC) as outlined in the Appendices to this policy.

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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 SOPRC, 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. New employees will receive an orientation to the provisions of this policy. Ongoing education will be provided for the college community, including students, faculty, and staff members. The complete sexual offense policy will be published in the *Student Regulations, Policies, and Procedures*, the *Faculty Guide*, and all other student and employee handbooks. The names of the sexual offense policy information contact persons will be distributed annually to members of the campus community and will also be available on the Office of Equity Concerns website.

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 a policy information person member of SOPRC (see Appendix 2). 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 cochair of SOPRC will be contacted and will assume the responsibilities of the 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 of the details of allegations. Parties involved should not engage in public discussion of their cases. All alleged felonies must, by Ohio law, be reported to law enforcement.

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, spring and fall breaks, 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 evidence during his/her investigation. The Administrator will advise each person whom she/he has interviewed that he or she is to keep the matter confidential.

The Administrator may (must in cases of an alleged felony) advise law enforcement of the complaint (normally through the Office of Safety and Security). Allegations of sexual offense may be investigated even if no formal complaint is filed or the complaining individual refuses to cooperate in an investigation.

(2) The Administrator is authorized to attempt to mediate or otherwise informally resolve the complaint, except when the complaint alleges sexual assault, sexual battery and/or rape. 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 finds after investigation, that a sexual offense might have occurred and if the Administrator has been unable to resolve the matter, the Administrator shall draft a charge based on the original complaint, which will be forwarded to the formal panel. The written charge should normally contain the names of the complainant and respondent and, in general, it should 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

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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 of such precompletion-of-formal-procedure suspension.

(3) After a decision to press a written charge is made by the Administrator, the Administrator normally has five working days to prepare and deliver the written charge to the respondent by certified mail (or, alternatively, by signed-for, hand delivery), and to notify the General Counsel/Secretary of the College that a charge has been filed. The Administrator will also provide the respondent with a copy of the *Sexual Offense Policy and Procedural Guidelines* at the same time the written charge is delivered. The respondent normally has three working days following receipt of the written charge to make contact with the Administrator to discuss the charge 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 charge 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 interests 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 Manager of Employee Relations in Human Resources. Violation of such limitations may be taken into account by the formal panel, and may result in discipline.

(5) Normally within 10 working days following delivery of the written charges, the General Counsel/Secretary of the college will convene the formal panel (see Appendix 3). Except where specified in this policy, the General Counsel/Secretary shall not take part in any aspect of the formal panel process. The President shall select an elected member of the Professional Conduct Review Committee to serve as the nonvoting 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 nonparticipating

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 truthfully all questions asked. Failure to cooperate with the process or to answer questions truthfully may result in disciplinary action.

(9) The formal panel will hear the witnesses and evidence 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 will be provided for the declining party. Communication will proceed via speakerphone.

(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 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

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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 five voting formal panel members 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 or designee is free to consider the total institution record of the offender. The President or designee 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 or a designee shall render a decision in consultation with the Manager of Employee Relations in Human Resources. When the respondent is a member of the administrative and professional staff, the President or his/her designee 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.

e. 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 charge and forward it to the Secretary of the College and serve a copy of the charge on the alleged wrongdoer. The Secretary of the College has the authority to call a new formal panel to hear the charge or to refer the charge to an existing formal panel.

Appendix 1: The Administrator

A. DUTIES

(1) The Sexual Offense Policy Administrator, who is appointed by the President, will be responsible for campuswide education regarding the sexual offense policy, training Sexual Offense Policy Review Committee (SOPRC) members, members of the community who sit on formal panels, and the members of the community who serve as policy information persons. 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.

(2) The Administrator will be assisted by a Sexual Offense Policy Review Committee (SOPRC), whose duties are outlined in Appendix 2. The SOPRC 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 cochair of SOPRC; the other cochair 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.

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(5) The Administrator will be responsible when necessary for advising appropriate faculty, staff and 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 hearings panel, students may need to request extensions or incompletes in their coursework. The Administrator will help students in completing the process of requesting incompletes. The Administrator shall notify students of and 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 which 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.

(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 SOPRC, a record of all incidents, and confidential files on complaints of sexual offense. Normally, the cochairs of SOPRC will have access to the confidential files on sexual offense complaints or charges, which will be kept securely 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 which invoke the use of procedures found in Oberlin College collective bargaining agreements, the Manager of Employee Relations in 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.

(6) *Publication and Maintenance of Records*

The Administrator, in conjunction with the Office of Safety and Security, shall publish the statistical records as required by the Clery Act. Further, the Administrator shall maintain records relating to the Sexual Offense Policy proceedings there under, as required by FERPA, other applicable laws, and the college's record retention policy.

Appendix 2: The Sexual Offense Policy Review Committee (SOPRC)

A. COMPOSITION

(1) The Sexual Offense Policy Review Committee (SOPRC) will be composed of two representatives from each of the following constituencies: Students, Faculty, Administrative and Professional Staff, and at least one member each from the OCOPE and UAW bargaining units.

SOPRC members should include representation by people of color and lesbian/gay/bisexual/transsexual people, if possible. Appointments to the committee will be made by the President after consultation with current SOPRC members, the Administrator, and the executive body of the applicable employee group. In appointing student members, the President shall consult with the Student Senate. Each committee member will serve a two-year term, with terms among members of the same constituency overlapping.

(2) Five members of SOPRC will be appointed to serve as first-contact advocates for the campus community. (See section 2 below: Policy Information Resources). 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 Policy Information Persons with the information.

(3) Cochairs of SOPRC will be a tenured teaching member of the General Faculty and the Administrator.

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

(5) At least every second year, SOPRC will undertake a review of the *Sexual Offense Policy and Procedural*

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Guidelines and, if necessary, recommend revisions to the General Faculty.

B. POLICY INFORMATION RESOURCES

- (1) **Role of Policy Information Persons:** A Policy Information Person 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. This resource is available to both complainants and respondents. The Administrator is responsible for educating policy information persons about the nature of sexual offense and Oberlin's sexual offense policy. Policy information persons' 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, policy information persons 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 policy information persons from each campus constituency (i.e., faculty, students, administrative and professional staff, OCOPE and the UAW). These policy information persons will have institutional support for their work: hourly employees may need release time and/or paid overtime. The college will fund policy information persons' 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 policy information persons each year. The Administrator will schedule additional meetings with the campus policy information persons as necessary to review any changes in policy or procedures.
- (4) A policy information person is not a counselor, but is available to provide information and to refer individuals to the proper resources if counseling is indicated. A policy information person 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 policy information persons 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) A policy information person 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 General Counsel/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 nonfaculty 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 nonfaculty 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 responsibility.
- 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 can 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.

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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 charge.
- 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 responsible for 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 responsible for 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 responsible for 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. Additional institutional violations of any nature while one is 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 or staff member will participate in any part of the evaluation process of a spouse, partner, or member of his or her immediate family.

Appendix 7: Oberlin College Discrimination and Harassment Policy Statement

Oberlin College is committed to creating an institutional environment free from discrimination and harassment for students and employees. Thus, discrimination and harassment based on the following categories are prohibited: race, color, sex, marital status, religion, creed, national origin, disability, age, military or veteran status, sexual orientation, family relationship to an employee of Oberlin College, and gender identity and expression. In addition, should any applicable law be enacted in the future prohibiting discrimination and/or harassment based on a category not listed above, or should there be other changes in the applicable law governing discrimination and/or harassment, this policy will be deemed amended to the extent necessary to reflect such changes.

Oberlin College deplors incidents of discrimination or harassment wherever they may occur—for example between students, between employees, and between students and employees. The college is especially mindful of its obligation to seek learning opportunities for its students. Discrimination or harassment, 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. Perpetrators of such behavior can be subject to college adjudication processes, including disciplinary action up to and including termination, suspension, and expulsion as appropriate. The community is further advised that recourse can be sought through the Equal Employment Opportunity Commission (EEOC), the Office of Civil Rights (OCR), the Ohio Commission on Civil Rights, or the courts. This policy does not limit the rights of an individual to seek remedies available under state or federal law.

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

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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 address particular situations. Such groups, along with the residential education staff, OSCA, and individual students are expected to 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 members living in college housing units 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 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 formerly 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,

Students' Rights and Responsibilities (cont.)

and spring breaks), facility maintenance, checkouts, 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 dismissal, 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 21 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 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)(2) and (3) and (M)(3). 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 plus court costs or imprisonment of not more than 60 days, or both. (Third degree misdemeanor.)

Section 4301.69 (A) and (I). No person shall sell* intoxicating liquor to an underage person, or buy intoxicating liquor or beer for an underage person, or furnish it to an underage person, unless given by a physician in the regular line of the physician's practice or given for established religious purposes or unless the underage person is supervised by a parent, spouse who is not an underage person, 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 180 days, 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*

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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 under the influence of drugs 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.

These laws may be referenced in their complete context in the Office of Safety and Security or online at codes.ohio.gov.

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 and psychological support, students are advised to consult with the Counseling Center, (440) 775-8470, (www.oberlin.edu/counsel/). Consultations with psychologists are confidential and subject to Ohio law governing the practice of psychology. Others also stand ready to help. If individuals need support or seek advice, they may also contact:

- Lorain County Mental Health Hotline (440) 282-2335
- Class Deans (440) 775-8462
- AA (Alcoholics Anonymous) (440) 246-1800
- Office of Safety and Security (440) 775-8444 or, for emergencies, (440) 775-8911
- Student Health (440) 775-8180
- Office of Religious and Spiritual Life (440) 775-8103
- Center for Leadership in Health Promotion (440) 775-5366
- Allen Memorial Hospital Emergency Room (440) 775-1211
- Lorain County Alcohol and Drug Abuse Services (LCADA) (440) 323-0860

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:

- a. Directly express concern and urge the student to seek support and assistance from among those listed above.
- b. Refer the matter to the campus Judicial Coordinator.
- c. 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.

- a. Persons who serve alcohol at any campus function must be 21 years of age in accordance with Ohio state law.
- b. 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.

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c. 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.

d. 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.

NOTE: GUESTS WHO ARE NOT ENROLLED AS STUDENT OF OBERLIN COLLEGE ARE NOT PERMITTED IN RESIDENCE HALL PARTIES.

e. 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 dismissal, 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:

(1) 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.

(2) Severe intoxication is defined as intoxication that may be reasonably judged to represent significant potential harm to self or others.

(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
- Aggressive 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 Associate Dean/Director of Wellness and 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.

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c. Medical Amnesty Policy

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 polices 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.

Note: The Medical Amnesty policy will not apply when a student persistently refuses to comply with the request of a college official to seek a medical evaluation to determine degree of intoxication/impairment. Instead, the refusal to comply will override the recommended staged sanctioning for drugs and alcohol related violations that are outlined in the most current published, *Student Regulations, Policies, and Procedures*. Students who persist in their noncompliance will be reminded/informed that failure to comply with a Security Officer's request to go to the Emergency Room for a medical intoxication/impairment evaluation will result in judicial action that may result in suspension.

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 Medical Amnesty 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. The appropriate combination of sanctions is to be determined by a hearing officer in Residential Education or a judicial coordinator.

(1) Written Warning.

(2) 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.

Note: All online screenings imposed as judicial sanctions will result in an administrative fee of \$20. This fee will be charged directly to the respondent's term bill in the Office of Student Accounts.

b. Second Offense. The appropriate combination of sanctions is to be determined by an assistant dean in Residential Education or a judicial coordinator.

(1) Deferred probation or probation for a period less than two years.

(2) Parental notification: the hearing officer will ask the student to call parent(s) and request that the parent(s) call the appropriate hearing officer to confirm that notification of the infraction has occurred. When parents do not call within 24 hours, the hearing officer will contact the parents.

(3) CHOICES, an alcohol/other drug class for small groups or individuals, scheduled with an instructor; a \$25 administrative fee will be charged to the student's term bill in the Office of Student Accounts.

(4) Other appropriate educational sanction(s) may be determined by the hearing officer.

c. Third Offense. The appropriate combination of sanctions will ordinarily be determined by a judicial coordinator or a judicial board.

(1) Alcohol and Other Drug (AOD) screening by the Counseling Center and/or (an)other appropriate educational sanction(s) to be determined by a judicial coordinator or a judicial board **OR** an 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

Students' Rights and Responsibilities (cont.)

assessment must be completed within the period of time specified by the judicial coordinator or the judicial board.

(2) Parental notification: the hearing officer will ask the student to call parent(s) and request that the parent(s) call the appropriate hearing officer to confirm that notification of the infraction has occurred. When parents do not call within 24 hours, the hearing officer will contact the parents.

(3) A STATUS SANCTION OF PROBATION (POTENTIAL LENGTHS RANGING FROM PROBATION FOR THE REMAINDER OF THE SEMESTER TO PROBATION UNTIL GRADUATION).

d. Fourth and Subsequent Offenses.

(1) The possible responses include referral to substance abuse and/or other intervention services in conjunction with status sanctions such as extended probation, suspension, or dismissal to be determined by a 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 at least 30 feet 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. (Violators may be reported to building representatives or to the Office of Safety and Security.)

Smokers must stand far enough away from entrances, exits and intake vents so people do not have to pass through the smoke to enter or leave, or smell smoke from vents while in the building. Employees, students, and visitors must smoke at least 30 feet away from doors and vents. 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 cards may be replaced by paying a replacement card fee and obtaining a new photo card from the Office of Residential Education. Damaged cards are replaced free of charge. 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 D.6.

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 nonemergency 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

Students' Rights and Responsibilities (cont.)

campus, even for a short period of time and vehicles owned or operated by students living in college village housing units.

- 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 three or more paid or unpaid violations of record within an academic year, not including those successfully appealed.
- 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 will be charged for not properly storing the bicycle. Any bicycles not claimed after September 15 of the following year will be disposed of by Oberlin College.

Y. Mailroom Regulations

A mailbox is assigned to each student at the beginning of the academic year by the Office of the Registrar. Boxes are located in the basement of Wilder Hall. All boxes are for registered students only and cannot be used for other purposes including, but not limited to, operating a business.

College Mail Service's student mailboxes are to be used only for campus mail, U.S. 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 Office of the Registrar (no nicknames or business names) 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 Student Mailroom. Doing so violates fire regulations and creates a fire hazard in the Student Union building. The college reserves the

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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 and its implementing regulations, with the exceptions noted in item 2 below, presently or formerly enrolled* students of Oberlin College have the right to review and inspect their educational records. An "educational record" is any record, file, document, or other material that contains information directly related to a student and that is maintained by the college.

*"Enrollment" is defined as beginning when the student first attends classes at Oberlin College for credit. No 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 formally admitted to that particular division of the college (e.g., the College of Arts and Sciences or the Conservatory of Music).

2. The right to review and inspect educational records does not extend to the following categories of records:

- a. Financial records, including any information in those records pertaining to the student's parents.
- b. Records that are maintained in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except as a temporary substitute for the maker of the record.
- c. Records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or para-professional acting in his or her professional capacity or assisting in a para-

professional capacity that are made, maintained or used only in connection with the treatment of the student, and disclosed only to individuals providing treatment to the student. However, the student may have these records reviewed by a physician or other appropriate healthcare professional of the student's choice. **Note:** Medical records are also available for review pursuant to federal law. (Call 440-775-8180 to learn more about procedures for obtaining medical records from the Student Health Center.)

d. Records that only contain information about an individual after he or she is no longer a student at the college (e.g., alumni records).

e. Confidential letters and statements of recommendation that were placed on file before January 1, 1975.

f. Confidential letters and statements of recommendation that were placed on file after January 1, 1975 in which the student has waived his or her right to inspect and review those letters and statements pursuant to the guidelines delineated in Part 6 below, and that relate to the student's admission to an educational institution, an application for employment, or receipt of an honor or honorary recognition.

3. Offices keeping records that may be reviewed by the student include Career Services, Communications, the Conservatory, Financial Aid, the Registrar, the Dean of Students, Residential Education and Dining Services, and Student Academic Services.

4. In order to inspect a student's educational records, the student must submit a signed and dated written request addressed to the supervisor of the office in which the records are maintained on a form prescribed by the college. The request form must describe the records sought and the purpose for which access is being requested. The responsible college official will make arrangements within a reasonable period, but not more than 45 days from the date of receipt of the written request, for the student to review the records at an appropriate office at Oberlin. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

a. Oberlin will not destroy educational records if it has received a proper request to inspect the records from a student, until such time as the student has had an opportunity to access the records.

b. Pursuant to federal law, only those records directly related to the student will be made available for review. To the extent that a student's record contains references to another student, all personal identifiers pertaining to the other student will be

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redacted from the record before the requesting student is provided with access to the record.

c. 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.

5. In certain cases, the college may permit the student to obtain copies of inspected records. However, Federal law generally does not require the college to provide copies of educational records to students (or authorized third parties as explained in part 7 below), and the college reserves the right to refuse to provide copies of educational records to students or authorized third parties in its sole discretion. It is the policy of the college not to release copies of disciplinary records, Student Honor Code records and proceedings, judicial case files, or investigative files to students or to third parties. These records are available for the student's inspection in the Dean of Students Office.

a. Notwithstanding, in the event that exigent circumstances effectively prevent the student from accessing his/her educational records (e.g., where the student is away from Oberlin and provides a compelling reason as to why he/she cannot readily come to campus), the college may elect at its option to provide copies of the records to the student, or alternatively, to make the records available to the student for inspection by the student in a supervised setting at a location remote from Oberlin.

b. In cases in which the college determines that copies of a student record may be provided, the copies will be made at the student's expense. A fee schedule, covering administrative costs, will be available in the office where student records are kept.

6. Students may waive their right of access to confidential letters and confidential statements of recommendation regarding admission to an education institution, for applications for employment, and for receipt of an honor or honorary recognition that are placed in the student's education records after January 1, 1975 by completing a signed written statement which describes the letters or statements with reasonable particularity and which contains the following language:

"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).

The college will provide to a student a list of the names of individuals who provided letters, statements, and recommendations upon written request.

7. The college will not disclose educational records to third parties without the prior written consent of the

student, which must be made on a form prescribed by the college. Such written consent must specify the records that may be disclosed, the purpose of the disclosure, and the party or parties to whom the disclosure may be made. Upon receipt of a properly completed request, the responsible college official will make arrangements within a reasonable time, but not more than 45 days from the date of receipt of the written request, for the third party to review the records at an appropriate office at Oberlin. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

a. The student has the right to access a copy of any records disclosed to a third party pursuant to the student's consent.

b. In certain cases, the college may permit a third party to obtain copies of records for which a student has supplied a duly executed consent for disclosure. However, under Federal law, the college is under no obligation to provide copies of educational records to third parties, and the college reserves the right to refuse to provide copies of educational records to third parties in its sole discretion. It is the policy of the college not to release copies of disciplinary records, Student Honor Code records and proceedings, judicial case files, or investigative files to third parties. These records are available for inspection in the Dean of Student's Office.

c. Third parties to whom educational records are disclosed pursuant to a duly executed consent are not permitted to redisclose the information contained in the record without the prior consent of the student.

8. The college may disclose educational records to third parties without consent of the student in the following instances:

a. To a school official who has a legitimate educational interest. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional duties for the college. School officials who occasionally have reason to examine records generally include without limitation: employees of the Office of the Dean of the Conservatory, Office of the Registrar, Office of Residential Education and 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; administrative and technical assistants acting on their behalf from the Dean of Students Office, Financial Aid, the Counseling Center, Student Academic Services, the Office of the Dean of Studies; Safety and Security Office

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personnel; healthcare personnel; and members of the Board of Trustees of the College. In addition, contractors, consultants, volunteers, or other individuals with whom the college has outsourced college services or functions may also be considered school officials, and include the college's attorneys, auditors and consultants, as well as students serving in an official capacity on behalf of the college, such as on a Community or Judicial Board, the Student Honor Committee, designated members of the Oberlin Student Cooperative Association (OSCA) when serving in the role of officer of OSCA, or others who are assisting in the performance of college services or functions that would otherwise be performed by a college employee.

- b.** Disclosures in compliance with a lawful subpoena or judicial order.
- c.** Disclosures in connection with a student's application for or receipt of financial aid.
- d.** Disclosures to state authorities exempted from the prior consent requirements of federal law.
- e.** Disclosures to accrediting organizations.
- f.** Disclosures to the parent(s) of a 'dependent' student, as defined by the Internal Revenue Code.
- g.** Disclosures to appropriate persons to protect the health or safety of a student or other persons in an emergency situation.
- h.** Disclosures to the parent(s) of a student permitted by law in a case where a student who is under 21 years of age has been found responsible for committing a violation of law or college policy pertaining to the use or possession of drugs or alcohol.
- i.** Disclosures permitted by law in cases where a student is found responsible for a violation of the rules and regulations pertaining to an act of sexual or physical assault or violence.
- j.** Disclosures to authorized Federal officials who have need to audit and evaluate federally supported programs.
- k.** Disclosures for public 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.

Any student may refuse to have directory 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.

l. Disclosures to officials of other institutions in which a student seeks or intends to enroll, provided the institution gives the student an opportunity to request a copy of such record and an opportunity for a hearing to challenge the record.

m. Disclosures to organizations conducting studies for or on behalf of educational institutions to develop, validate, or administer predictive tests, administer student aid programs, or improve instruction.

9. If a student believes that the information in an educational record is inaccurate, misleading, or in violation of the privacy rights of the student, he/she may request that the college amend the record by submitting a request in writing to the college official responsible for providing the student with access to the record.

a. If the college declines to accept the amendment, the student may request a hearing to challenge the contents of the student's educational records on the grounds that it is inaccurate, misleading, or in violation of the privacy rights of the student. Representatives of the office in which the disputed record is maintained will appoint a committee to hear the issue. A committee consisting of a departmental chair, a faculty member, and an administrator (normally the Dean of Students) shall conduct the hearing. During the academic year, when students are in residence, the Dean of Students will select one student to be added to the membership of this committee. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

b. If as a result of the hearing, the committee agrees with the student's contentions, the record will be amended accordingly.

c. If the committee disagrees with the student's contentions, the student will be afforded the option of placing a written statement in the record commenting on the contested information or stating why the student disagrees with the decision of the college. Such statement will be retained with the record for as long as the record is maintained, and will be disclosed whenever the college discloses the portion of the record to which the statement relates.

10. Effective September 4, 2007, the Office of Career Services has discontinued the credential mailing service and has implemented a partnership with Interfolio to maintain reference and credential files for current students and alumni. This service will replace the former method of maintaining paper-based files through the Reference Service/Student Academic

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Services. Students and Alumni choosing to use the Interfolio service will agree to the terms outlined in the Interfolio Service Agreement.

11. All Oberlin College offices that maintain educational records shall keep a log of instances in which a student's records are disclosed pursuant to a request by persons who are not otherwise authorized to have access to the records. The access log shall include the following: date the educational record was examined; name and title of the reviewer; and the legitimate educational purpose of the disclosure. The access log shall be available for inspection by the student.

12. A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with Federal law pertaining to the maintenance of educational records. The name and address of the office responsible for educational record issues is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

BB. 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. 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

Coordinator: Issac Katz

Cochairs: Harriette Carrington,
Dimitri Macris

Secretary: Fajer Saeed

Treasurer: Dimitri Macris

3. NONACADEMIC 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

Judicial Coordinator at any time. Where both parties agree to this, complaints can often be mediated rather than handled through formal adjudication.

4. 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

Students' Rights and Responsibilities (cont.)

directly related to the student. (See the Student Records section, V. AA.).

5. 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.

6. COMPLAINTS RELATED TO HEALTH SERVICES OR OBERLIN COUNSELING CENTER

Complaints may be taken to any faculty or student member of the Student Life Committee. 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 may discuss his/her complaint with the providers' supervisor/department head; (3) the student can request that a Student Life Committee member discuss the complaint with the health care professional and inform the student of the outcome; (4) the student may request that a Student Life Committee member be present when he/she discusses the complaint with the health care professional concerned; (5) the student may request that the Student Life Committee assign a second health care professional to conduct an informal inquiry into the complaint and report back to the student; (6) the student may request that a formal inquiry of the complaint be conducted.

7. GRIEVANCES RELATED TO THE ADMINISTRATION OF HOUSING AND DINING POLICIES

a. Students who have requested exception to the 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

chair 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 chair 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.

8. 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.

9. 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.

Students' Rights and Responsibilities (cont.)

- 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.

- any other activities which are not consistent with state and local law (including legal drinking age), or the regulations and policies of the college.

The college prohibits all individuals from soliciting, aiding, or agreeing or attempting to aid another person in planning or committing acts of hazing. It is not a defense to a violation of this policy that the hazing victim consented to or acquiesced in the hazing activity. The college prohibits all hazing activities whether conducted on or off the college premises.

Violations of this policy can be reported to Safety and Security, the Director of Athletics, the Dean of Students, or a Class Dean. The Office of the Dean of Students will investigate the complaint in accordance with the student disciplinary procedures. The college provides sanctions for violation of this policy (see K. Sanctions in this section).

CC. Hazing Policy

Oberlin College's Policy on Hazing

This policy was approved by vote of the General Faculty on May 21, 2008.

Oberlin College prohibits hazing of any member of the college community by campus organizations, clubs, intercollegiate or intramural athletic teams, students, employees and volunteers.

The state of Ohio acknowledges hazing as a crime. The Ohio Revised Code defines hazing as "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." (2307.31) The college further defines hazing as any activity that is expected of someone to join or maintain membership in an organization, club, team and/or any other group that is affiliated with the college that humiliates, degrades, abuses or endangers him or her, regardless of intention or willingness to participate.

The activities in the following list constitute hazing if they humiliate, degrade, abuse, or endanger participants, regardless of the intention of the activity or the willingness of the participants. The list is not intended to be comprehensive:

- use of alcohol or other controlled substances;
- nudity or partial nudity;
- physical violence in any form;
- branding, tattooing, piercing or shaving;
- excessive calisthenics or creation of unwarranted fatigue not associated with practice or competition;
- consumption of excessive and/or an unusual combination of food and/or drink;
- physical and psychological shocks;
- wearing of apparel which is conspicuous;
- engaging in public and/or private stunts and activities that put people at risk;
- sleep deprivation;
- line-ups or any interrogation for information that is not consistent with legitimate testing;
- engaging in degrading or humiliating games and activities;
- requiring personal errands of participants, such as driving to class, cleaning room, laundering clothes;

DD. Oberlin College Missing Student Policy

The following information and requirements regarding missing students is provided in accord with the federal Higher Education Opportunity Act of 2008, section 485(j).

1. Each Oberlin College student, 18 years of age or older, has the option to identify an individual to be contacted by the office of the Dean of Students not later than 24 hours after the time circumstances indicate that the student may be determined missing. For each student who is under age 18 and not emancipated, the institution is required to notify the custodial parent not later than 24 hours after the time that the student, may be determined missing.
2. A confidential contact is a person designated by the student in addition to the emergency contact listed with the Office of the Registrar. The contact information will be registered confidentially, and this information will be accessible only to authorized campus officials. It may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
3. Each student, 18 years of age or older, may register a person whom he or she designates as a confidential contact during the first two weeks of each semester by completing and filing a form in the Office of the Dean of Students, Wilder Hall 105, weekdays between 8:30 a.m. and 5:00 p.m. The student wishing to register a confidential contact is solely responsible for the accuracy of the information, as well as any update of information regarding the confidential contact. Update of information provided may be filed with the Office of the Dean of Students during business hours at any time during the semester.

Students' Rights and Responsibilities (cont.)

4. At the end of the fourth week of each semester, a new list is finalized and distributed to appropriate officials at the college for the purpose of reporting a missing person.
5. In cases where a confidential contact is not designated, or the confidential contact cannot be reached at the number provided by a student, the emergency contact provided the Office of the Registrar will be used. The emergency contact may be notified in addition to any confidential contact provided.
6. Oberlin College will notify the Oberlin Police Department or other appropriate law enforcement agencies not later than 24 hours after the time a student is determined to be missing. A student is determined to be missing when a report comes to the attention of the college and the college determines the report to be credible. College officials receiving a missing persons report relating to a student are required to notify the Office of Safety and Security immediately to investigate and make a determination that a student who is the subject of a missing report has been missing for more than 24 hours and has not returned to campus. Safety and Security will notify the Oberlin Police Department of the circumstances presented with the report of a missing student as soon as it is established that avenues to contact the student have been exhausted (even when less than 24 hours of time has elapsed), or immediately if circumstances of criminality or safety are determined to be involved. The Dean of Students office, through the Dean on Call system, will initiate the notification to the confidential contact, as provided above, and to the emergency contact person provided to the college upon enrollment for investigative and/or notification purposes.

EE. Oberlin College Temporary Art Installation Policy

In cooperation with the Art Department, Facilities Operations, Residential Education, and Safety and Security, this policy has been established to provide general guidelines for students requesting the use of space for the purpose of temporary art installations. Temporary art installations include, but are not limited to sculptures, 3-D art, murals, gallery displays, live performances, and may not permanently alter the existing space in any way. Each space requested for use of a temporary art installation will be looked at individually to determine its appropriateness.

Students must identify the requested space and complete the Temporary Art Installation application. This form and the full policy description can be obtained in Facilities Operations, Residential Education, and in the Student

Union Office in Wilder Hall 111. It is recommended that the application with all required signatures be completed at least two weeks prior to the proposed installation. Proposed installations that conflict with areas already reserved will be denied.

Note: Oberlin College's insurance underwriters do not allow the college to sponsor any activity like or related to fire poi. While hazards associated with open heat sources can be controlled through a properly implemented fire prevention policy, fire poi and other similar equipment are not fixed sources of ignition and present an extreme risk of fire and personal injury.

FF. Oberlin College Policy on Trampolines and Hammocks

The use of trampolines is strictly prohibited on college property, including Tappan Square and village housing. Violation of this policy will result in judicial action.

Hammocks are permitted for use on college property only after receiving written approval from the Office of Facilities Operations. Students interested in obtaining approval should contact the Director of Facilities Operations by e-mail. The e-mail should include the student's name, place of residence, contact information, style of hammock, and location where hammock will be placed. Hammocks will not be permitted in locations that will interfere with egress from buildings, impede grounds maintenance, and/or harm property. The Director of Facilities Operation or his/her designee shall have the sole discretion to determine whether to grant any request to use a hammock on college property. It shall be the student's responsibility to use and maintain hammocks in a safe manner per the manufacturer's specifications and any conditions imposed by the Director of Facilities Operations. Any hammock displaying signs of undue wear and tear shall be removed from service by the student. Oberlin College reserves the right to remove hammocks from service for any violation of this policy or any other applicable college policy, rule, or procedure.

Housing and Dining Regulations

Housing and Dining Regulations

A. Terms and Conditions

The college's Housing and Dining Program is an integral and required component of an Oberlin education. In choosing this residential college, students agree to accept the following principles, terms, and conditions, and to be responsible for all associated fees.

B. 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, 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 create the context for a liberal arts education. As a result, tuition and fees do not vary by student although individual students may use particular programs or facilities differently.

Room and board fees pay for the staff, programs, and facilities that sustain a comprehensive 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, subject to the exemptions noted below, all students enrolled in Oberlin College are generally required to pay the room and board fees and to live and take meals in college housing and dining halls.

The principle of the Housing and Dining Agreement is that the products of both tuition and room and board fees are essential elements for the establishment of 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 receives off-campus status these charges may only be reduced 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 for a housing and dining. In addition, all enrolled students must abide by all policies and procedures as established by the appropriate Oberlin College committees and offices.

1. 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. Any student who remains enrolled in the college, but leaves college housing and/or dining during the academic year without official notice and approval, continues to be liable for all tuition and room and board fees for the full academic year.

2. HOUSING AND DINING EXEMPTIONS

All students are expected to live and take meals on campus unless the Student receives a written notice of off-campus status or exemption from the Office of Residential Education and Dining Services.

a. Exemptions

Students in the following categories may be exempted from the oncampus Housing and/or Dining requirement, if requested by the student within the college's established deadlines in advance for the 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 enrolled for five credits hour or less.
- (4) Students who have underage dependent children.
- (5) Housing Only: Students (approximately ten (10%) of the undergraduate population) who have at least six semesters of residency oncampus and have requested and have been formally granted off campus status. 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 or group who registers for off-campus status within each semester of residence 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 Medical Leave of Absence (MLOA) will not receive residency credit for those semesters away. Transfer students can receive up to four (4) semesters of residency credit by sending a copy of the transcript(s) to the Office of Residential Education. Any student enrolled for the fall semester who wishes to live off campus during the spring semester based upon time in residency

Housing and Dining Regulations (cont.)

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. No student returning from leave spring semester will be granted off-campus status unless they were eligible and received off-campus status in the previous spring's housing selection process.

Students who receive off-campus status are required to submit their off-campus address and phone number to the Office of Residential Education and Dining Services by the end of the first week of classes. Failure to notify the college of an off-campus address may result in fines and/or forfeiture of off-campus status. 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. Students should not sign an off-campus rental lease or pay a security deposit without receiving formal written notification of off-campus status.

b. College Dining Program

All students, including students who receive off campus status or a Housing exemption, are required to participate in the college dining program and are responsible for fees connected therewith, unless the Office of Residential Education and Dining Services grants a specific exemption. Students who receive off campus status via section B.2.a.(5) above are not entitled to an exemption from participation in the college dining program.

c. Subsequent Housing and Dining Elections

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.

d. Special Accommodations

The college complies with all applicable laws relating to students with disabilities. The Office of Residential Education understands that some students may have a medical condition or disability that requires a special housing and/or dining accommodation. Students who believe they may need an accommodation for housing and/or dining because of a disability should contact the Office of Disability Services. Required documentation should be submitted by the deadline established by the Office of Disability Services. Assistance with such documentation will be provided upon request.

e. Room and Board Fees

Students are liable for all room and board fees unless and until they are granted a housing or dining exemption in writing from the Office of Residential Education and Dining Services, after which an appropriate adjustment will be made. The

Office of Residential Education and Dining Services cannot consider individual financial concerns in determining fees or assignments. Nonpayment of room and board fees cannot be used as a form of financial aid. The Office of Financial Aid is the only office that is authorized to administer financial aid.

3. ROOM AND BOARD SERVICES

Occupancy of college housing begins for new Students on the first scheduled day of Orientation for the academic year, and for returning Students two days before the commencement of classes for the academic year. Occupancy ends for undergraduates at 9:00 a.m. of the day following the last day of exams, and for graduates at 10:00 a.m. on the day following Commencement. Dining services begins with lunch service 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 Office of Residential Education and Dining Services. A sliding scale fee will be assessed based upon the date that 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 dining services 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 shutdown, however, students may continue to reside in village housing. If access or retrieval of items is requested during break or shutdown periods, a fee will be assessed. Housing assignments are for the full academic year, or the remaining portion thereof including winter term (January).

The terms of the dining agreement do not include fall or spring break as all campus dining facilities are closed. Dining Services 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.

4. RESIDENCE ASSIGNMENTS

The Office of Residential Education assigns rooms to new students on the basis of the housing application. Returning students select housing based on a reassignment system that gives priority to students based on the number of semesters in residence and a randomly assigned appointment time.

The college currently provides single-sex, coed, and all-gender housing options for students. In order to provide students more open accessibility to housing, the college is moving to replace coed 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 opt to live together in rooms, floors, wings, or

Housing and Dining Regulations (cont.)

buildings. Designations of single-sex and gender-blind housing will be reviewed on an annual basis.

a. *Summer Waitlist*

Students may place themselves on the summer waitlist between May 1, and May 31. Priority on the summer waitlist is based on semesters in residence and the date and time students place themselves on the waitlist. The summer waitlist expires on the first day of classes.

b. *Academic Year Waitlists*

Students who accept an assignment but would prefer another housing situation may place themselves on a waitlist beginning on the first day of classes. Priority for reassignment from the waitlist is on a first-come, first-served basis and available housing. Reassignments required for students in temporary housing will take priority over students on the waitlist.

c. *Academic Year Assignment*

All housing assignments are for the entire academic year.

5. PERSONAL USE

All students residing on campus agree that the housing assigned to the resident shall be used only by the individual assigned to the space and may not be transferred or assigned or sublet to another person. Residents may not be assigned to more than one residency space at the same time or occupy more than one space at the same time. The assigned space will be used only for personal living, sleeping, and studying. Public spaces, including, but not limited to lounges, studies, kitchens, or bathrooms may not be used for personal living or sleeping unless assigned by the college. No commercial business operation, solicitation, canvassing, sales, marketing, or advertising will be conducted out of the assigned space or public spaces in the building. Residents should be aware that they are subject to all local, state, and federal laws, including those regarding gambling, firearms, and the use and possession of alcoholic beverages and illegal drugs. The college's policies and procedures regarding college housing and student rights and responsibilities are detailed in *Student Regulations, Policies and Procedures*.

6. 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 (and upon reasonable notice when applicable) 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*, which are incorporated into this agreement as if fully set forth herein. Oberlin reserves the right to transfer or evict students in accordance with section 16 of this Agreement.

7. HOUSING AND DINING ASSIGNMENT CHANGES

Housing assignments are generally made for the entire academic year and are not subject to change, except as required by the college to fill vacancies or to consolidate assignments as delineated in the Housing and Dining Agreement. Notwithstanding, a housing assignment may be changed upon the request of a student at the discretion of the Office of Residential Education. The office has the discretion to grant or deny this request.

Residents who wish to change assignments should fill out the Room Change Request form found on the Residential Education website. Once a space becomes available, the Resident will be contacted about the opportunity to move and the appropriate process to do so. Students are given 48 hours to completely move out of their assignment and sign all administrative paperwork. Assignment changes for students who place themselves on the waitlist during the academic year are granted on a first-come, first-served basis. Reassignments required for students in temporary housing will take priority over students on the waitlist. Any change in housing assignment does not affect the student's obligation under the Housing and Dining Agreement. If you are in OSCA, please contact the OSCA office for more information about room moves.

Residents who complete an unauthorized housing change or fail to complete an approved housing change may lose their preferred housing assignment, be required to relocate, be charged a fine, and/or be subject to disciplinary action. Students whose assignment changes are authorized at the end of fall semester must vacate their current assignment prior to leaving Oberlin in December. This applies even if the student plans to remain oncampus during winter term. Students are given 48 hours to completely move out of their assignment and sign all administrative paperwork. Assignment changes are granted on a first-come, first-served basis.

8. 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 student has a roommate who fails to move in, leaves the college, or moves to other college housing, the

Housing and Dining Regulations (cont.)

remaining student(s) must accept a new roommate or make a housing change within five business days during the academic year. After five business days, the college may consolidate assignments, assign new students to the empty space(s), or bill the student at the established buy-out rate. Students with the highest priority (semesters in residency) will have the first option to occupy multiple spaces without roommates. Students who refuse to accept a new roommate or who fail to clear the unassigned portion of the room/unit may be subject to disciplinary action and fines. The college retains the right to fill any vacancies that occur over the summer at its own discretion.

9. STORAGE OF PERSONAL BELONGINGS

All campus storage is limited and available on a first-come, first-served basis. As a courtesy, students who are continuing in college housing in the following academic year are permitted to store some of their belongings at the college over the summer. There is a three item limit including trunks, luggage or boxes (18"x18"x16"). All items stored in college storage must meet UPS shipping requirements and must include an identification tag to be provided by the college. Village housing residents and residents 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. Student-owned furniture, electronics, refrigerators, rugs, empty boxes, etc., may not be stored in college storage areas. There is no access to storage areas over break periods or during the summer recess. If emergency access is needed, a fee will be assessed. Students store items at their own risk and Oberlin College assumes no liability for lost, stolen or damaged items.

The college reserves the right to dispose of unauthorized items in storage, improperly labeled or stored items, or possessions left for more than one year and will bill students for the cost of removal of unauthorized items found within storage. Students may not store items after they have graduated, been suspended, withdrawn or have otherwise left the college.

10. RESPONSIBILITY FOR PERSONAL PROPERTY

The college and the Office 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, neglect, theft, or the actions of a third party that occur in college housing or on college property. Students are encouraged to confirm that their property is covered by their family's homeowners' insurance or to carry personal property insurance.

11. MAINTENANCE

No resident shall alter, paint, repair, or contract the repair of any furnishing, structural fixture, or

electrical, mechanical, or plumbing equipment. Routine maintenance needs are to be reported to Facilities Operations at www.oberlin.edu/facilities using the Submit a Workorder link. Maintenance emergencies need to be reported to Facilities Operations' service response desk during normal working hours and to Safety and Security after hours and on weekends/holidays. Only the appropriate college service employees may paint and make alterations to the room or furnishings. The college will be responsible for making all repairs determined to be necessary and appropriate.

12. RESPONSIBILITY FOR ROOM CONDITION AND USE

The Student agrees to use ordinary care in the use of the residence, the furniture, appliances and all other parts of the residential community. Charges for special cleaning, keys, and for repairing or replacing of any damage or loss to property necessitated by the lack of due care on the part of the student and/or guests, will be billed to the students assigned to the room/unit. If the damage and/or charge cannot be attributed to a particular room or student, it will be appropriately divided and charged to all student(s) of the unit, floor, building, or community. Students will be billed for any pieces of furniture missing from the room/unit at the time of auditing. No furniture is to be removed from any room/unit. Room furnishings may not be stored in storage areas or in any public areas including hallways, bathrooms, kitchens, laundry rooms, and/or lounges. Furniture in one room/unit may not be exchanged for furniture in another room/unit without the prior written permission of the resident director of the building. Windows may not be used as entrances or exits except in the case of an emergency. For safety reasons, window screens must be kept on windows in all college housing and dining halls. If screens are removed or damaged students will be billed for the labor to rehang or replace the screens.

All students are prohibited from accessing roofs, mechanical rooms, electrical vaults, custodial closets, CIT closets, loading docks, or any other unsafe areas regardless of whether or not the spaces have been locked off by the college. Students living in village housing are not permitted to access basements, attics, roofs, ledges, terraces, or balconies (except in Union/Goldsmith apartments) or any other unsafe areas regardless of whether or not the spaces have been locked off by the college.

13. CHECK-IN AND CHECKOUT PROCEDURES

a. *Check in*

Upon checking into college housing, students are responsible for acknowledging the condition of their assigned space by completing and submitting the Room/Apartment/House Condition report within 24 hours. The purpose of the condition report is to protect both students and the college regarding

Housing and Dining Regulations (cont.)

damage charges. Students will be billed for all damages/losses not noted on the check in condition report above ordinary wear and tear at the time of checkout as delineated above. Failure to return the check in condition report will result in an improper check in charge and inability to appeal damage charges assessed upon checkout.

b. Checkout

Students are expected to check out, return their key(s) if applicable, and follow written procedures, as outlined in the closing memo, for vacating their assigned room/unit. Students are expected to reassemble furniture and to remove all trash, personal belongings, and college property not itemized on the condition report 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 members are all able to assess fines/charges to students. Students may incur additional charges following checkout after college staff complete a final inspection.

Students living in traditional residence halls or village housing (i.e., non-OSCA housing) have the right to appeal charges, if they have followed proper checkout procedures. Appeals of residential education checkout charges must be received within 30 days of billing. The criteria upon which appeals may be based are:

- (1) new information is available that was not available at the time charges were assessed
- (2) charges are unreasonably severe
- (3) charges were incorrectly assessed

Listed below are the steps that students should take if they decide to appeal a charge from Residential Education.

- (1) Complete the checkout charge appeal form on the Residential Education website. The request for an appeal must include a detailed rationale that addresses one or all of the criteria.
- (2) An Assistant Director of Residential Education will begin investigating the appeal within five business days of receipt.
- (3) If the charges cannot be appealed, students will be notified and the appeal process will end at this point.
- (4) If the charges can be appealed, students will be notified of the outcome of the appeal. Notification will occur within three weeks of receipt.
- (5) If the appeal is denied, a final appeal based on the criteria above may be made to the Director of Residential Education (or designee) within five business days of the initial decision.

The determination of the Director of Residential Education (or designee) is final.

Any student in OSCA wishing to contest checkout charges should submit an appeal to osca@oberlin.edu.

c. Late Checkout

Students must vacate by the published deadlines. Failure to vacate and return keys by the deadline 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.

14. TELEPHONES

Students in college housing are provided with basic telephone service that includes oncampus and local calling free of charge. Students who bring their own phones to campus will need to plug a phone into 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. An \$85 replacement fee will be billed to the student's account for phones not returned to the Office of Residential Education at or before checkout. Voicemail is available free of charge to all students. Students desiring this service should contact the Telephone Office. If students experience a problem with phone service, they should report the problem to the Office of Residential Education directly or through a residential student staff member (RA, LRA, VA). Students are not allowed to receive collect phone calls. If a student is found to have accepted collect charges, they may be subject to disciplinary action and will be required to pay accrued charges.

15. SUGGESTIONS, COMPLAINTS, AND APPEALS PROCESS

Students' suggestions and complaints regarding college housing, dining services, regulations, policies, and issues should be submitted to the Office of Residential Education and Dining Services in writing, which can include an e-mail to resed@oberlin.edu.

a. Requests for an Exception

Requests for an exception to any policy listed in the Housing and Dining Agreement should be submitted in writing to the Assistant Director for Housing Administration. In addition to campus mail and personal delivery, the Assistant Director for Housing Administration will accept requests submitted by e-mail to resed@oberlin.edu. All requests for an 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 have been denied by a Residential Education and Dining Services staff member may appeal the decision to the Appeals Board. Appeals will be heard based on special circumstance specific to the student. The Appeals Board does not have the authority to render decisions that change policy or those based on financial issues. All appeals must be submitted in writing, which can include e-mail (resed@oberlin.edu) to the Appeals Board, in care of the Office of Residential Education and Dining Services. A final decision will be rendered within 30 days of receipt of the appeal; except when the appeal is received after May 1, or December 1, then the final decision will be rendered within 30 days after the beginning of the next semester.

16. DISMISSAL FROM COLLEGE HOUSING

Pursuant to Ohio law, the college may terminate the Housing and Dining Agreement and require the Student to vacate college housing upon a determination that the student has violated a provision of the Housing and Dining Agreement or has violated an applicable provision of *Student Regulations, Policies, and Procedures* pursuant to the Judicial System, including but not limited to: failure to pay tuition and room and board fees, trafficking or abuse of controlled substances, weapons violations, as a response to cumulative disciplinary history or damage to college housing and property, and in the response to facility emergencies resulting from fire, water or weather damage. Notwithstanding, in any case where a student's presence in college housing poses an immediate threat to person or property, as determined by the Office of Residential Education and Dining Services, the student may be required to immediately vacate college housing until a hearing on the matter is held. A determination that the student has violated a provision of the Housing and Dining Agreement or violated an applicable standard of the *Student Regulations, Policies, and Procedures* may be made only after the student is given written notice of the alleged violation and a right to be heard on the matter. The college's notice and hearing procedures, and the college's officers authorized to make foregoing determinations, are described in detail in the *Student Regulations, Policies, and Procedures*. In the event that the Housing and Dining Agreement is terminated as a result of such a violation, the student will be responsible for room and board fees in accordance with section 1.

C. Community Resources and Opportunities

1. PARTIES

To support students in their efforts to plan responsibly for social events in residential spaces the Office of Residential Education and Dining services developed

the following processes for seeking authorization to sponsor parties.

a. Party Authorization for Traditional and Cooperative Housing

Residents who wish to host a party in a traditional residence hall or in OSCA housing must pick up a party-planning packet that outlines the party-planning process from the Office of Residential Education. If the party will involve the serving of beer, students must come to the Office of Residential Education no later than five weeks prior to the event for approval. Failure to meet this five week deadline will result in the party not being approved.

b. Party Authorization for Village Housing

Residents who want to host a party in village housing must make an appointment with the party planner in Residential Education to receive a Village Housing Party Permit. If students wish to host a party in their village housing unit, regardless of whether alcohol will be served, they must come to the office and meet with the party planner a minimum of THREE days prior to the event for approval. In village housing a "party" refers to an event that will exceed the guest policy. Failure to meet this three day deadline will result in the party not being approved. Please note that parties may not be approved in village housing even if the minimum three day request has been met. An appropriate staff member needs to be available to meet with residents and inspect the house. Parties in village housing will not be approved during fall or spring break, or for the last two weekends of the fall and spring semesters.

All parties must adhere to all college policies regarding, alcohol, noise and guests. Unauthorized parties or approved parties that violate the party policy are subject to judicial action and/or fines.

For more information about the party planning process, please go to: <http://new.oberlin.edu/office/housing/forms-and-policies/party-planning.dot>.

c. Unauthorized Party/Violation of Party Policy

Unauthorized parties or approved parties that violate the party policy are subject to judicial action that may include educational sanctions, fines and fees. The assessment of charges associated with these incidents serves as a reminder that unauthorized parties or parties that grow out of their capacity to maintain community standards warrant an institutional response that might have been avoided through careful party planning and monitoring.

The educational sanctions for such incidents may include, but are not limited to, the loss of the privilege to register future parties, referral to the CHOICES class that carries a \$25 fee, an informational interview with a specified

Housing and Dining Regulations (cont.)

administrator, a \$100 unauthorized party fine per residential unit involved, and/or restitution for damages to college property resulting from activity associated with said party. The disciplinary status sanctions imposed may range from written warnings up to and including suspension or dismissal.

Any monetary charges associated with the party will be divided equally among the residents assigned to the residential units, or equally among the individuals found responsible for the party through judicial proceedings. Charges will be billed directly to individual student accounts.

2. GRILLS

Students in college housing are not permitted to own or store outdoor grills. Outdoor grills are defined as grills that are charcoal, gas (propane) or camping (butane) grills. Students residing in village housing (excluding Elm St. and Firelands) may reserve a grill through the office of residential education within 1 business day prior to requested use. Reservation of a grill requires a \$25 deposit. Please visit the office of residential education's website to fill out the grill reservation form. Once you have completed the form, if you are approved and a grill is available, then a grill will be delivered to your housing unit for use. If any damage occurs to the grill while checked out, the resident who requested the grill will be financially liable for the cost to repair or replace the grill. There are a limited amount of grills available through the Office of Residential Education and they are available on a first-come, first-reserved basis. Any questions regarding the grill policy should be directed to the Resident Director for village housing.

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 treasurer and any other officers 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*

In village housing, tenant boards may be created at the beginning of the fall semester by the Village Assistants with the assistance of the Resident Director. If you are interested in Tenant Boards, please speak with your assigned Village Assistant or the Village Housing and Co-op Resident Director.

D. 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 V. Social Conduct and Regulations, section N. for the general college policies on these substances.

The policies listed here are those specific to alcohol use and possession in college housing:

- a. Persons under the age of 21 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 the resident(s) and the invited guests and the resident(s) who are 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 a college housing room will be subject to disciplinary action.
- d. Open containers of alcohol are not permitted in lounges, hallways, bathrooms, porches, stairwells,

Housing and Dining Regulations (cont.)

balconies, and lawns or in other public or semi-public areas of College housing unless the necessary party planning procedures have been completed 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 or his/her designee.

g. Beer bongos and other items used for quick or mass consumption of alcohol are strictly prohibited.

h. The college reserves the right to bill the students assigned to a residential unit and/or sponsors of alcohol related activities hosted in the assigned unit for any damage resulting from the alcohol related activity.

2. GUESTS

Residents may have an overnight guest including family members for a single visit of not more than seven consecutive nights per semester in college owned housing. The presence of the guest cannot constitute an inconvenience for roommates or otherwise interfere with the housing community life. If this occurs, the college has the discretion to terminate the visit. In no instance shall a guest become a long-term resident in a college-owned facility. Residents are responsible for the actions of their guests and must be present for the duration of the visit.

Residents are required to apprise residential education staff of any overnight guest in a college owned residential facility. The resident should send this notification to the appropriate resident director by e-mail. The number of guests in a college residence at one time should not exceed two guests per person assigned to the space.

Violations of any aspect of this policy 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.

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. In addition, students are expected to follow all policies related to prohibited and regulated items and smoking while in college housing. Failure to comply with these regulations jeopardizes the safety of self and 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 and fines. 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

Furniture or other obstacles may not block, or limit access to doors, fire escapes, room windows, or any other means of egress from any room and/or building.

c. Door closures/smoke detectors/evacuation signs

Removing, covering, or tampering with automatic door closers, smoke detectors, and/or evacuation signs is prohibited and will result in disciplinary action and fines.

d. Fire Alarms

Fire alarms exist in college housing to protect the occupants of the building. False fire alarms can decrease students' response time to evacuation when alarms sound. The most common, preventable alarms are the result of carelessness while cooking. Students are expected to be responsible when cooking, including, but not limited to, being present in the kitchen at all times, using vent hoods, turning off burners and ovens after use, and ensuring that cooking appliances are clean prior to and after use.

Fire alarms that activate because of the negligence of residents or their guests may result in disciplinary action and fines. Fines may include, but are not limited to: (a) fines assessed to the college for Fire Department response; (b) labor costs associated with resetting the alarm (up to four hours of electrician labor); (c) labor costs associated with Safety and

Housing and Dining Regulations (cont.)

Security response (up to 1 hour of labor); and/or (d) materials (e.g., replacement smoke detector, discharged fire extinguisher). Students are expected to take responsibility for fire alarms that could have been prevented. In the case that a student does not take responsibility or there are repeat alarms in a single building, then the college reserves the right to divide any associated fine or fees among the residents of the building.

5. CLEANLINESS OF ASSIGNED LIVING SPACES

For the sake of the general health and safety of the community that lives in close proximity, residents are expected to maintain the cleanliness of their assigned living spaces.

a. *General housekeeping expectations*

Students are expected to maintain the cleanliness of their room/unit including regular vacuuming/sweeping, trash removal, and proper food storage and disposal. Students living in units with kitchens or private bathrooms are expected to appropriately clean and maintain these spaces and associated appliances. Excessive accumulation of paper, trash, foodstuff, and/or clothing on the floor(s) and/or around radiators may constitute a fire/health hazard and/or pest concern.

Students living in village housing must ensure that porches and yards, especially in the front of the unit, are free of trash, interior furnishings, and generalized clutter.

b. *Response to hazardous conditions or pest issues related to housekeeping*

When students report pest issues, a Facilities Operations staff person or a designee will inspect the room. If the pest issue is made worse by the failure of the student(s) to maintain the space as defined above, the student(s) will be assessed fees associated with pest inspection and control.

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 within 24 hours may result in judicial action, relocation, and/or cleaning fines.

6. NOISE

For the policies regarding noise in residence halls, see Social Conduct and Regulations, entry V., section K.

7. PETS

Fish and other aquatic animals that can only survive in water are the only pets permitted by students in college housing. No other animals are permitted in residential spaces for any period of time unless specifically approved by the Office of Residential Education. Unapproved pets may result in judicial action, fines, and/or assessment of cleaning Fees, including possible pest control.

8. PROHIBITED AND REGULATED ITEMS

a. *Wall hangings*

Oberlin College strongly recommends using finishing nails or tacks where possible to hang room decorations, as they tend to damage to walls less than most adhesives. In addition, we recommend the use of “sticky tack,” a rubbery substance that is usually blue or white in color). Please be aware if using other adhesives even those claiming to be safe for walls that they may remove paint in some spaces if not removed according to the instructions. Students are responsible for the costs associated with damage to the walls of their rooms due to hanging decorations. Some college housing assignments have bulletin boards or corkboard strips, while others have molding strips on which molding hooks may be used. Window treatments should be hung using tension rods. 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.

For the sake of fire safety, residents in college owned housing may not have coverings (cloth hangings, tapestries, posters, pictures, window treatments, etc.) on more than 20 percent of a room’s wall surface. Residential Education permits cloth tapestries, but only on walls. Residents may not mount canopy arrangements on beds or walls. Residents may not hang anything from the ceiling or from or around fire safety equipment (smoke/heat/fire detectors, sprinklers, etc.).

b. *Electrical Appliances*

Residential Education permits students to have the following electrical appliances in college housing: micro fridges provided by the college rental program in village housing and renovated residence halls, 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. Residential Education prohibits the following electrical appliances in college housing: Air conditioners and cooking appliances—including microwave ovens, immersion heaters, popcorn poppers, hot plates, and water heaters.

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 except for refrigerators provided by the college rental program and those refrigerators in village housing.

Housing and Dining Regulations (cont.)

d. Grounded extension cords

Extension cords must be grounded (three-pronged) 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, thinners, poisonous or hazardous chemicals, and/or fireworks or explosives is prohibited throughout college owned 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 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

Waterbeds 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, Noah, and Tank bike storage areas. In order for bicycles to be placed in storage, they must be registered with the Office of Safety and Security. All bicycles left on campus at the end of spring semester should be stored in one of the designated bike storage areas. Bicycles not stored properly will be removed and discarded. 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.

9. COLLEGE HOUSING ID CARD SECURITY

Out of concern for safety and security, college housing is locked twenty-four (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 open an exterior door may result in disciplinary action.

Lost cards are to be reported immediately to the Office of Residential Education and Dining Services 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. Students are required to get a new card from the Office of Residential Education and Dining Services. There is a fee for replacing a lost card or for reactivating an old card.

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.

10. 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, lobbies, porches, patios, and lawns. 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, cleaning fees, and/or the cost of fines.

Housing and Dining Regulations (cont.)

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.

11. 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 the correct 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. Residents should keep their doors locked at all times to prevent theft.

12. SMOKING

See Smoking Policy, V. Social Conduct and Regulations section.

13. STUDENT CODE OF CONDUCT

Residents are responsible for understanding and complying with the social conduct standards as stated in the *Student Regulations, Policies, and Procedures*. Behavior that threatens or endangers the wellbeing of others or substantially interferes with the rights of others may result in eviction or assignment transfer.

Fines 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/ FAILURE TO COMPLETE AN RCR/FAILURE TO PROVIDE OFF-CAMPUS CONTACT INFORMATION	\$25 FINE
BOXING AND SHIPPING OF BELONGINGS	\$25 PER BOX, PLUS LABOR COSTS AT \$35 PER HOUR
FAILURE TO REGISTER FOR WINTER TERM AND OR WINTER SHUTDOWN HOUSING	\$25 FINE
DISPOSAL (REMOVAL OF BELONGINGS FROM ROOM)	\$25 PER ITEM, PLUS LABOR COST AT \$35 PER HOUR. ADDITIONAL CHARGES FOR DISPOSAL REQUIRING SPECIAL PROCEDURES
FAILURE TO VACATE RESIDENCE HALL ROOM AND RETURN KEYS BY STATED DATE AND TIME/ FAILURE TO CHECKOUT AT ANNOUNCED HALL CLOSING TIME	CHARGED \$50 PER HOUR. (LIMITED TO \$400 PER DAY)
IMPROPER CHECKOUT/ FAILURE TO CHECKOUT FOLLOWING OUTLINED POLICIES AND PROCEDURES	\$25 FINE
LOCK CHANGE AND OR FAILURE TO RETURN KEY	\$60 PER LOCK CHANGE
LOCKOUT CHARGE	STUDENTS WILL NOT BE CHARGED FOR LOCKOUTS DURING THEIR FIRST MONTH OF RESIDENCE. AFTER THE FIRST MONTH OF RESIDENCE STUDENTS WILL BE CHARGED \$10 PER LOCKOUT.
ID CARD REPLACEMENT	\$10 IF LOST. FREE IF STOLEN (WITH S&S OR POLICE REPORT) OR DAMAGED.
ID CARD REACTIVATION	\$5 TO REACTIVATE AN OLD ID CARD

OFFENSE	PENALTY
PET RULE VIOLATION	\$50 PER RESIDENT OF THE COLLEGE HOUSING UNIT AND POSSIBLE REFERRAL TO COLLEGE JUDICIAL SYSTEM (PLUS REPAIR OR REPLACEMENT AND ADDITIONAL CLEANING COST ASSESSED AT THE TIME OF CHECKOUT)
UNAUTHORIZED PARTY/ VIOLATION OF PARTY POLICY	UP TO A \$100 FINE
UNAUTHORIZED ROOM CHANGE	\$100, PLUS POSSIBLE RELOCATION

A fine schedule for damage to residence hall property is available in the Office of Residential Education and Dining Services.

Fines and Penalties (cont.)

Student Motor Vehicle and Bicycle Fines

OFFENSE	PENALTY
FAILURE TO REGISTER BY FRIDAY, SEPTEMBER 17, 2010	\$250 TOTAL
UNREGISTERED CARS FOUND ON CAMPUS	\$450 TOTAL INCLUDES THE COST OF REGISTRATION
ALTERED OR COUNTERFEIT PERMIT	\$250, PLUS REVOCATION OF PARKING PRIVILEGES
VIOLATIONS OF PARKING REGULATIONS (NOT INCLUDING HANDICAPPED OR FIRE-LANE VIOLATIONS)	\$20 FOR FIRST TICKET; \$40 FOR SECOND TICKET; \$60 FOR THIRD VIOLATION, PLUS TOW/STORAGE AT OWNER EXPENSE
IMMOBILIZATION FEE (SEE PARKING REGULATIONS FOR APPLICABLE)	\$100, PLUS UNPAID VIOLATION
VIOLATION OF FIRE-LANE RESTRICTION	\$250
VIOLATION OF HANDICAPPED-SPACE DESIGNATION	\$250
LATE FEE (IF VIOLATION NOT PAID WITHIN 3 DAYS, WEEKENDS INCLUDED)	\$5
IMPROPER BICYCLE STORAGE	\$50

Vehicles found in violation of a third offense of the parking regulations will be towed immediately. Towing and applicable storage costs are the owner's expense. Three 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

Fines and Penalties (cont.)

Other Violations

OFFENSE	PENALTY
DAMAGE TO COLLEGE PROPERTY	UP TO \$50 FINE AND DISCIPLINARY ACTION PLUS REPAIR OR REPLACEMENT COSTS
FAILURE TO SHOW ID	\$15 AND DISCIPLINARY ACTION
MISUSE OF ID	\$15 AND DISCIPLINARY ACTION
MISUSE OF COLLEGE TELEPHONE (E.G., ACCEPTANCE OF COLLECT CALLS, THIRD NUMBER BILLINGS)	\$5 ADMINISTRATIVE CHARGE PER CALL + ACCRUED CHARGES
TAMPERING WITH LIFE-SAFETY EQUIPMENT, E.G., FIRE EXTINGUISHERS, SMOKE DETECTORS	\$300 AND PROBATION, PLUS REPAIR OR REPLACEMENT COSTS
NEGLIGENT ACTIVATION OF FIRE SAFETY EQUIPMENT	UP TO \$150 FINE AND DISCIPLINARY ACTION PLUS REPAIR OR REPLACEMENT COSTS
THEFT OF COLLEGE PROPERTY	\$50 AND PROBATION, PLUS REPAIR OR REPLACEMENT COSTS
VERBAL ABUSE OF A COLLEGE OFFICIAL	\$15 AND DISCIPLINARY ACTION
FAILURE TO COMPLY WITH A COLLEGE OFFICIAL	\$15 FINE AND DISCIPLINARY ACTION

If any of these 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.

Important Information to Know

The student regulations are also available in a searchable PDF version online at new.oberlin.edu/students/policies. Each student is responsible for being familiar with the content of *Student Regulations, Policies, and Procedures*.

Please read the following policies and procedures that are new or that have been revised since the 2010-11 publication of *Student Regulations, Policies, and Procedures* (*indicates a new or substantially revised policy):

- Regulations and Procedures of Student Accounts
- Policy for the Acceptable Use of Information Technology Resources
- Sexual Offense Policy and Procedural Guidelines
- Oberlin College Policy on Harassment and Discrimination*
- Housing and Dining Regulations
- Unauthorized Party/Violation of Party Policy
- Grills*
- Life-Safety Policy
- Housekeeping
- Fines and Penalties

Also give careful attention to the following areas of the “Social Conduct and Regulations” section of this publication:

- Honor System
- Judicial System
- Sexual Offense Policy and Procedural Guidelines
- The Policy on Alcohol and Other Drugs
- Policy for Academic Records
- General Posting Policy
- Temporary Art Installation Policy

Yeworkwha Belachew, Ombudsperson x56728

The ombudsperson is an independent, neutral, and confidential administrator who

- helps the college community and others resolve conflict with other students, staff, or faculty;
- listens, offers information about policies and procedures, and when appropriate, helps bring about orderly and responsible system change;
- helps members of the college community confront and resolve sources of community tension, particularly those stemming from racism and other socially derived sources of prejudice and misunderstanding; and
- provides mediation and facilitation services through the Oberlin College Dialogue Center.

Sexual Offense and Equity Concerns

Oberlin College seeks to provide and maintain the best possible learning and working environment. For this reason, the college will not tolerate sexual offense, including sexual violence, discrimination, or harassment, in the work or academic setting. The college has adopted the Sexual Offense Policy and Procedural Guidelines and the Policy on Discrimination and Harassment, which offer definitions and guidelines to help its members understand which behaviors constitute sexual offense, including sexual assault or violence, as well as harassment and discrimination, on the campus and according to state, local, and federal law. The administration of the Sexual Offense and Discrimination and Harassment Policies is a primary responsibility of the Office of Equity Concerns. As is the case with the Judicial System and the Honor System, the efficacy of the policies depends upon the members of the community to embrace the concepts outlined in the policies. The college’s ability to promote an educational and work environment that is intolerant of sexual offense, discrimination and harassment depends upon the commitment of individuals (whether victims or witnesses) to report behaviors that appear by definition to constitute sexual assault, sexual battery, rape, and various forms of harassment and discrimination. The full policies can be reviewed at new.oberlin.edu/students/policies/.

Important Information to Know (cont.)

A student who experiences or witnesses a suspected incidence of sexual offense, including sexual violence, discrimination, or harassment, should report it directly to the Equity Concerns administrator or choose to speak with any trusted member of the college's faculty or staff who have a duty to report sexual offense, including one of the Equity and Diversity Committee Chairs identified below. The college will provide appropriate support to parties involved in an internal college process. Members of the community who are found responsible for a sexual offense, harassment, or discrimination through an internal college process are subject to appropriate college adjudication processes and disciplinary action, in addition to any action that may be taken by civil or criminal governmental authorities.

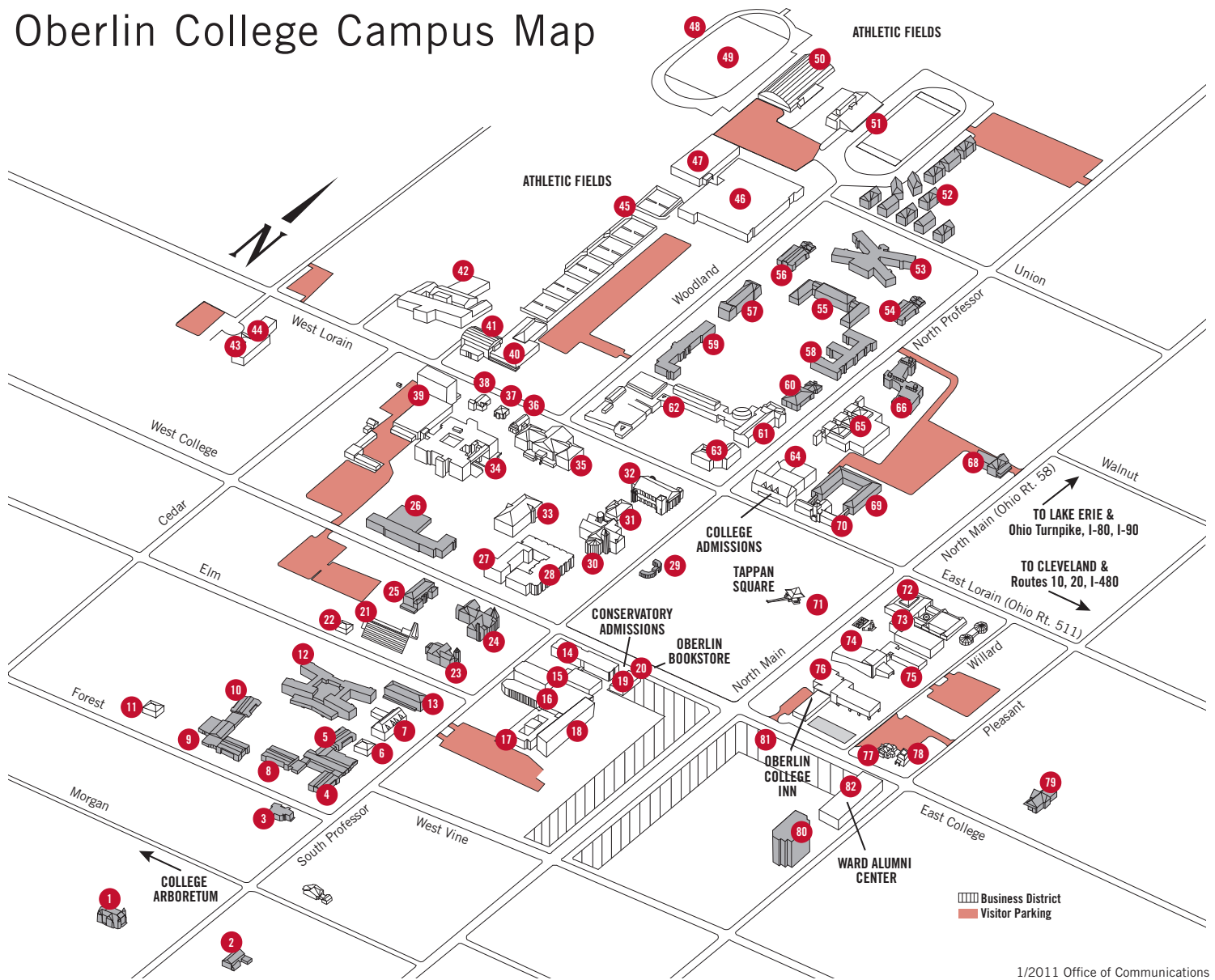
Camille Hamlin Allen, Special Assistant for Equity Concerns and Title IX Coordinator x58555
Overall equity concerns regarding allegations of harassment and or discrimination

Natalie Winkelfoos, Athletics Equity Coordinator..... x58555
Allegations of discrimination or harassment in athletics based on sex and gender

Adrian Bautista, Cochair, Equity and Diversity Committee, spring 2012..... x58462
Allegations of discrimination or harassment based on race, color, religion, creed, national origin, age, military or veteran status, and family relationship to an employee of Oberlin College, during the spring of 2012

Kimberly Jackson Davidson, Section 504/ADA Compliance Coordinator and Cochair, Equity and Diversity Committee, fall 2011 x58462
Allegations of discrimination or harassment based on disability, and allegations of discrimination or harassment based on race, color, religion, creed, national origin, age, military or veteran status, and family relationship to an employee of Oberlin College, during the fall of 2011

Oberlin College Campus Map



1/2011 Office of Communications

ALLEN ART BUILDING (Art Library)	73	COX ADMINISTRATION BUILDING	31	LANGSTON HALL	53	SAUNDERS (Afrikan Heritage House)	10
ALLEN MEDICAL CENTER	42	CREATIVE WRITING	37	LEWIS ANNEX (132 Elm Street)	22	SAVAGE FOOTBALL STADIUM	51
ALLEN MEMORIAL ART MUSEUM	72	DASCOMB HALL	26	LEWIS CENTER FOR ENVIRONMENTAL STUDIES (Adam Joseph)	21	SCIENCE CENTER (Science Library)	62
ALLEN CROFT (Russian House)	3	DAUB HOUSE (Bonner Center for Service & Learning)	36	LEWIS HOUSE (Ombudsperson & Religious Life Center)	7	SECURITY BUILDING	38
APOLLO THEATRE	81	EAST HALL	58	LEWIS CENTER FOR WOMEN AND TRANSGENDER PEOPLE (Edmonia)	6	SERVICE BUILDING	39
ASIA HOUSE (Quadrangle)	69	FAIRCHILD HOUSE	13	LEWIS HOUSE (Ombudsperson & Religious Life Center)	7	SEVERANCE HALL	63
BAILEY HOUSE (French House)	54	FINNEY CHAPEL	32	LORD (Afrikan Heritage House)	9	SHANSI HOUSE	77
BALDWIN COTTAGE (Women's Collective & Third World Co-op)	23	FIRELANDS	80	MEMORIAL ARCH	29	SHULTS FIELD	49
BARNARD HOUSE	60	HALES ANNEX	40	MUDD CENTER (Main Library & Center for Information Technology)	34	SOUTH HALL	12
BARROWS HALL	59	HALES GYMNASIUM	41	NOAH HALL	57	STEVENSON HALL	65
BOSWORTH HALL	70	HALL ANNEX	75	NOAH HALL	57	STUDENT HEALTH CENTER	43
BURTON HALL	55	HALL AUDITORIUM	74	OBERLIN BOOKSTORE	20	TALCOTT HALL	24
CARNEGIE BUILDING (Arts & Sciences Admissions)	64	HARKNESS HOUSE	25	OBERLIN COLLEGE INN	76	TANK HALL	79
CHARLES MARTIN HALL HOUSE	78	HARVEY (Spanish House)	5	OLD BARROWS	2	TENNIS COURTS	45
CLARK BANDSTAND	71	HEISMAN CLUB FIELD HOUSE	47	PETERS HALL	30	UNION STREET HOUSING COMPLEX	52
CONSERVATORY, ANNEX (Admissions)	19	JOHNSON HOUSE (Hebrew House)	1	PHILIPS PHYSICAL EDUCATION CENTER	46	WARD ALUMNI CENTER/ART GALLERIES	82
CONSERVATORY, BIBBINS HALL	14	KADE (German House)	4	PRESIDENT'S HOUSE	11	WARNER CENTER	33
CONSERVATORY, CENTRAL UNIT & WARNER CONCERT HALL	15	KAHN HALL	66	PRICE (Third World House)	8	WILDER HALL (Student Union)	35
CONSERVATORY, LIBRARY	16	KAHN TRACK	48	PROFESSIONAL SERVICES BUILDING (Communications & Investment offices)	43	WILLIAMS FIELD HOUSE	50
CONSERVATORY, ROBERTSON HALL	17	KEEP COTTAGE	68	RICE HALL	27	WRIGHT LABORATORY OF PHYSICS	61
COUNSELING CENTER	44	KING BUILDING	28			ZECHIEL HOUSE	56
		KOHL BUILDING, CONSERVATORY	18				