



HARTWICK
COLLEGE

est. 1797

Code of Community Standards

**Hartwick College
1 Hartwick Drive
Oneonta, NY 13820**

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PREFACE

- **Hartwick College (“Hartwick”) students, groups, and organizations are responsible for knowing the information, policies, and procedures outlined in this document.**
- Students at Hartwick are provided a copy of the Code annually in the form of a link on Hartwick’s website. Hard copies are available upon request from the Office of Student Experience. Students are responsible for having read and abiding by the provisions of the Code.
- There is no time limit on reporting violations of the Code; however, the longer someone waits to report an offense, the harder it becomes for Hartwick officials to obtain information and witness statements; and to make determinations regarding alleged violations.
- Though anonymous complaints are permitted, doing so may limit Hartwick’s ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to Campus Safety, Residential Life staff, the Office of Student Experience and/or the Director of Residential Life and Community Standards. If you choose to report through Hartwick’s Silent Witness program, you may do so by clicking the following link:
https://cm.maxient.com/reportingform.php?HartwickCollege&layout_id=4
- Hartwick’s email system is Hartwick’s primary means of communication with students. Students are responsible for all communication delivered to their Hartwick email address. Maxient Conduct Manager has been procured for use at Hartwick College to provide a web-based program used to track student conduct records and facilitate all communications for students related to the community standards process and procedures. Any electronic communication sent from Maxient to a student, should be opened, read and followed up on.
- This Code of Community Standards (the “Code”) is not to be regarded as a contract between a student and the College. Hartwick reserves the right to make changes to the Code and once those changes are posted online, they are in effect. Students, groups, and organizations are encouraged to check online for the updated versions of all policies and procedures. The Code is reviewed on an annual basis, or as needed, and communicated to the campus community.

LEARNING OUTCOMES OF THE OFFICE OF COMMUNITY STANDARDS IN THE HARTWICK COMMUNITY

- Students who participate in the Community Standards process
 - Will learn to practice honesty and self-reflection.
 - Will focus on ways to build community among their peers
 - Will learn to take responsibility for their own actions
 - Will show positive regard for each other, for property, and for the community.

SECTION 1: OFFICE OF COMMUNITY STANDARDS

MISSION AND PHILOSOPHY

I. Mission Statement

- A. Hartwick College's Office of Community Standards provides educational opportunities to promote student responsibility, allow students to evaluate their choices and explore their personal values, and foster a safe and respectful environment in the campus community. We aim to create a community standards process that is fair, equitable, and accessible for all students.

II. Philosophy Statement

- A. The Hartwick community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The community standards program within the Office of Student Experience is committed to an educational and developmental process that balances the interests of students, groups and organizations with the interests of the Hartwick community.

A community exists on the basis of shared values and principles. At Hartwick, students, groups and organizations are expected to uphold and abide by certain community standards that form the basis of the Code. These standards are embodied within a set of learning outcomes to be achieved by all students in their interaction with the community standards process.

Each student, as a community member, has the right of freedom of speech and peaceful assembly, except where such rights conflict with the good of the community, and are in direct conflict with how Hartwick defines appropriate behavior. Each member of the Hartwick community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the Hartwick community engage in a violation of the rules or expectations, campus proceedings are used to assert and uphold the Code and expectations of the community.

The community standards process at Hartwick is not intended to punish students, groups or organizations; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies.

Educational Outcomes are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with Hartwick's expectations. When a student is unable to conform their behavior to Hartwick's expectations, the community standards process may assist Hartwick in determining if the student should continue to share in the privilege(s) afforded to those participating in the Hartwick community.

Students should be aware that the community standards process is different from criminal and civil court proceedings. Procedures and rights in community standards procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined

within these procedures, assures notification and a hearing before an objective decision-maker. No student, group or organization will be found in violation of a Hartwick policy without information showing that it is *more likely than not* that a policy violation occurred and any Educational Outcome will be proportional to the severity of the violation and to the cumulative conduct history of the student, group or organization.

SECTION 2: JURISDICTION

I. Who is Covered by the Code

For the purposes of student conduct, Hartwick considers an individual to be a student when an offer of admission has been extended and accepted, and thereafter as long as the student has a continuing educational interest in Hartwick.

The Code and the community standards process apply to the conduct of:

- All students and all Hartwick-affiliated student groups or organizations on campus and off-campus.
- Students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation.
- An accused student that takes a leave of absence or withdraws, the College may continue the community standards process to its conclusion regardless of the accused student's participation.
- For the purposes of community standards, Hartwick considers an individual to be a student when an offer of admission has been extended and accepted and thereafter as long as the student has a continuing educational interest in Hartwick.

II. The Community Standards Process in Conjunction with a Leave, Withdrawal, or Departure from Hartwick College

The outcome of the community standards process will take precedence over any leave, withdrawal, or departure from the College, which may include graduation, until all allegations are resolved.

- In addition, the College may preclude a student, subject to allegations of violations, from graduating until the allegations are resolved.
- If Educational Outcomes are identified, a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate and all Educational Outcomes must be satisfied prior to re-enrollment eligibility.
- If a student is unable to participate in the community standards process due to a medical leave or other extenuating circumstances, at the DRLCS's discretion, a hold may be placed on the student's account to ensure the community standards process is completed prior to re-enrollment.

- In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, Hartwick may invoke these procedures; should the former student be found responsible, Hartwick may revoke that student's degree.

III. The Community Standards Process in Conjunction with Off-Campus Conduct

All Hartwick College students, affiliated student groups, organizations, and athletic teams are required to adhere to the Student Code of Community Standards at all times, whether they are on or off campus, including, but not limited to:

- Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of the student or others; or
- Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder; or
- Any situation that is detrimental to the educational mission and/or interests of Hartwick.

The code may be applied to behavior conducted online, via email, or any other electronic medium.

- Students should be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private.
- These postings can subject a student to allegations of community standards violations if evidence of policy violations is posted online.
- Hartwick does not regularly search for this information, but may take action if and when such information is brought to the attention of Hartwick officials.

IV. Additional Parties Covered by the Code

The code also applies to guests of Hartwick College students. The Hartwick College student host may be held accountable for the misconduct of their guests.

The code may also be applied to high school bridge/extension/partner/dual-credit and continuing education students and SUNY Oneonta and Hartwick exchange program students.

Visitors to and guests of Hartwick may seek resolution of violations of the Code committed against them through the processes outlined herein.

V. Handling of Violations of the Code of Community Standards and the Sexual Misconduct Policy

If a student is charged with policy violations under both the Code of Community Standards and the Sexual Misconduct Policy, the alleged violations will be handled through one process, engaging both the Title IX Coordinator and the DRLCS or designee.

In circumstances where there is a conflict between the procedures and/or processes set forth in the Code and those set forth in the Sexual Misconduct Policy, the procedure or process outlined in the Sexual Misconduct Policy will take precedence. If there is no procedure or process outlined in that policy to address the issue at hand, the process outline in the Code of Community Standards will be used.

The full text of the Sexual Misconduct Policy can be found at www.hartwick.edu/titleix.

Section 3: Violations of the Law

Alleged violations of federal, state, and local laws may be investigated and addressed under the Code. When an alleged violation occurs, the student conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Hartwick reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are set forth herein).

Students accused of crimes may request to take a leave from Hartwick until the criminal charges are resolved. In such situations, Hartwick's procedure for voluntary leaves of absence is subject to the following conditions:

- The responding student must comply with all campus investigations; and
- The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the community standards process and must comply with all Educational Outcomes that are imposed.

Section 4: Community Standards

I. Community Policies

Hartwick considers the following behaviors described as inappropriate for the Hartwick community and in opposition to the educational outcomes set forth at the beginning of this document. Hartwick encourages community members to report to Hartwick officials all incidents that involve the following actions. Any student, group, or organization found to have committed or have attempted to commit the following misconduct is subject to the Educational Outcomes outline in Section 6, III.

- 1. Abuse of the Community Standards Process.** Abuse or interference with, or failure to comply in, the student community standards processes, including, but not limited to:
 - a. Falsification, distortion, or misrepresentation of information;
 - b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation; or
 - c. Failure to cooperate with an investigation;
 - d. Attempting to discourage an individual(s) proper participation in, or use of, the campus community standards system; or
 - e. Influencing, or attempting to influence, another person, group, or organization to commit an abuse of the campus community standards system; or
 - f. Failure to comply with the Educational Outcomes imposed by the campus community standards system.
- 2. Academic Integrity.** Violating the *Academic Honesty Policy*. Claiming others' ideas as one's own, failing to acknowledge their ideas or language, and engaging in other unethical practices that seriously disrupt the pursuit of truth constitute academic dishonesty, which has no place in the academy and will not be tolerated at Hartwick College. Nearly every form of academic dishonesty is a species of plagiarism, which Alexander Lindey has defined as "the false assumption of authorship: the wrongful act of taking the product of another person's mind, and presenting it as one's own" (Plagiarism and Originality [New York: Harper, 1952], 2). Plagiarism, cheating and other dishonest behaviors directly related to academic performance are subject to penalty at Hartwick College. The College defines these three forms of academic dishonesty as follows.
 - a. *Cheating*. Includes but is not limited to such in-class behaviors as copying from other students, use of books, notes or other devices not explicitly permitted, and communication of answers or parts of answers during an examination.
 - b. *Plagiarism*. Usually occurs in the case of reports or papers prepared outside the classroom. Plagiarism has been committed whenever a student submits as his or her own work any material taken from others—whether printed, electronic or oral;

whether quoted directly or paraphrased—without proper acknowledgment and documentation.

- c. *Copying*. Copying the work of other students, whether in hard copy or electronic form, is included in this definition. Faculty members should indicate clearly to their classes which style of documentation is to be used for citing printed, oral, and electronic sources. The seventh edition of the MLA Handbook for Writers of Research Papers (2009) is one source of instruction on how to cite both traditional documents and material taken from such electronic sources as the World Wide Web.
 - d. *Other Dishonest Academic Behavior*. includes but are not limited to the following: falsifying or forging excuses for absence from class or for failures to complete assignments; sharing your Hartwick log-in information with anyone else; using another's Hartwick credentials to log-in to any Hartwick technology resource or online course; forging the signature of an academic advisor; mutilating library materials; and submitting a paper (or two papers that are substantially the same) for credit in two different courses without prior agreement of the instructors involved. Faculty members who become aware of other forms of dishonesty that they deem directly related to academic performance should consult about whether to press charges with the person designated by the Office of Academic Affairs to serve as the academic honesty officer.
- 3. Alcohol.** Behavior that generates disorder due to intoxication, which implies consumption, may be subject to the community standards process. This includes creating a disturbance, damaging property, presenting a health risk to self or others, or otherwise not meeting responsible consumption expectations.
- a. *Use of Alcohol*. Use of alcoholic beverages by any student under the age of 21, use that jeopardizes the health and/or safety of any individual, or use that disrupts the normal operations of the college is prohibited.
 - b. *Possession of Alcohol*. Possession of alcoholic beverages by any student under the age of 21 is prohibited. Students over the age of 21 are permitted to keep alcohol for personal use in their residential room (not common areas unless all roommates are over the age of 21). Personal use amounts are defined as follows:
 - i. 1 six pack of beer/malted beverage
 - ii. 1 750ml bottle of wine
 - iii. 1 750ml bottle of hard liquor
 - c. *Distribution/Sale*. The distribution and/or sale of alcohol to others, of legal age or not, is strictly prohibited.
 - d. *Paraphernalia*. Defined as full, partially full, or empty alcoholic beverage containers, flasks, mass-quantity drinking apparatuses (i.e. funnel, beer bongs,

drinking hats), items utilized as part of drinking games, or other items that are known to be used primarily for consumption purposes.

- e. *In the Presence of.* Being in the presence of alcoholic beverages or items that are, or in a context that is, otherwise prohibited by College policy.
- f. *Bulk Alcohol.* Bulk alcohol is defined as any amount of alcohol beyond the personal use amounts defined above. Kegs, beer balls, personal BORGs, etc. are not permitted on campus except where provided by catering services or a permitted licensed third party vendor. Bulk alcohol is not permitted in residence buildings or areas under any circumstances.
- g. *Advertisement.* Advertising alcohol in any way is not permitted on campus property.
- h. *Social Activities.* Alcohol is permitted at on-campus events when provided through Catering Services or another third-party vendor where a liquor license is provided. All private events (both for Fraternity and Sorority Life off-campus house events and on-campus student organization events) MUST be registered. Failure to register may result in sanctions or status through the Code of Community Standards for both individuals and organizations.
 - i. Private events must follow these guidelines:
 - 1. The event must have a *responsible individual* identified as in charge of the event on all college documentation relating to the event.
 - 2. The event must be private, by invitation only.
 - 3. All attendees who are 21 years of age and older must be given a designation, such as a wristband, provided by the host group, that identifies them as legal to consume alcohol.
 - 4. Alcoholic beverages may only be served in single serving units not to exceed 12 oz. beer/malt beverages, 4 oz. wine, or 1 oz. of hard liquor or spirits.
 - 5. Non-alcoholic beverages and food must be available.
 - 6. The *responsible individual* has responsibility to see that all applicable laws and College policies and guidelines are adhered to.
 - 7. Signs must be prominently displayed stating that:
 - a. Alternative beverages are available; and
 - b. It is illegal for persons under age 21 to possess or consume alcoholic beverages.
 - ii. Alcohol is not permitted at the following events:
 - 1. Athletic events, except those approved as private events; or
 - 2. Residence hall events, floor events, other housing unit events including special interest housing events; or
 - 3. New student programs; or

4. Fraternity, sorority, or student organization events, unless approved as a private event.

4. Animals. Animals are not allowed in any residence hall or other campus building at any time, with the exception of fish kept in bowls as pets, animals that provide assistance as permitted by law, and Guiding Eyes for the Blind dogs-in-training. Animals on campus must be on a leash at all times and their waste must be disposed of immediately and in appropriate refuse receptacles. Animal lab specimens are permitted solely in the academic buildings for those purposes and may not be in residence halls under any circumstances. Individuals in violation of this policy will lose their ability to have their animal on campus and the removal of the animal is the ultimate responsibility of the student and will be subject to the community standards process. Any damage or excel cleaning that is the result of an animal (regardless of approval) is the responsibility of the student.

- a. *Service Animals.* A service animal is one that has received significant training (18 months to 3 years of training) to perform specific tasks to assist those that cannot do so for themselves (ex: Guiding Eye dogs), and is entitled to open access except in private homes. Any place which is open to the public is to allow a service animal (with the exception of churches, and Native American reservations, as they are considered sovereign nations). Only dogs and miniature horses can be service animals.
- b. *Emotional Support Animals.* Emotional Support Animals are only in housing, and cannot be brought to class or other restricted areas. Documentation and approval of an Emotional Support Animal must be completed by the Director of AccessAbility Services. All animals must be approved by [AccessAbility Services](#) PRIOR to coming to campus. All students with approved ESAs agree to the following provisions:
 - i. Comply with all College rules regarding noise, safety, disruption, and cleanliness.
 - ii. Ensure that the Emotional Support Animal does not create a persistent odor, noise, or disturbance.
 - iii. Ensure that ESAs are housebroken, and must remove or arrange for the removal of the animal's waste and dispose of all waste in a timely manner. Waste must be disposed of in an outside trash receptacle, never indoors.
 - iv. Ensure that when leaving the room/apartment, the ESA shall be restrained with a leash or transported in a cage or appropriate container. If on a leash, an identification tag must be prominently displayed.
 - v. Ensure that the ESA is not left unattended for any unreasonable length of time, which will depend in part on the species of the animal. If left

unattended in Residence Hall, the animal must be harnessed, leashed, or tethered.

- vi. Ensure that the ESA is current with appropriate immunizations and vaccinations and, when applicable, wear a rabies vaccination tag. Current immunizations and vaccinations records must be submitted to the AccessAbility Services Office with this agreement and updated as necessary.
 - vii. Comply with Otsego County and/or City of Oneonta dog control and licensing laws (if the animal is a dog), and with all responsibilities regarding animal rights and all other owner responsibilities.
- 5. Bullying.** Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally whether taking place in-person or online. In keeping with the Office of Community Standards' philosophy of "fostering a campus environment that is conducive to academic inquiry, a productive campus life, and thoughtful study and discourse," Hartwick students are expected to conduct themselves online and in other remote areas in a manner consistent with the expectations governing "in-person" behavior.
- 6. Collusion.** Action or inaction in concert with another or others to violate the Code.
- 7. Cyberbullying.** Hartwick students will conduct themselves in an honest manner in their online communication and behavior. Willful misrepresentation of oneself, another, or any other form of intentional falsification is not acceptable and will not be tolerated. Hartwick students represent their community at all times, including while online. Online language or behavior that is deemed to be harmful to the greater College community or undermine the educational mission of the College is not acceptable. Hartwick students are expected to strive for justice and equity in their online activities. This includes, but is not limited to, refraining from engaging in hate speech or bias-related harassment, and respecting private and confidential information, especially as it may relate to another's identity. Any behavior or incident brought to the College's attention may be addressed by the College.
- 8. Damage, Destruction, and Vandalism.** Intentional, reckless, and/or unauthorized damage to or destruction of Hartwick property or the personal property of another. Students are responsible for the costs related to their actions. At the discretion of the DRLCS, this charge may be decreased or waived if the student immediately comes forward to take responsibility for their actions.
- 9. Discrimination.** Discrimination is any distinction, preference, advantage for, or detriment to an individual compared to others that is based on an individual's actual or

perceived protected status that adversely affects a term or condition of an individual's employment, education, living environment, or participation in a college activity, or is used as the basis for or a factor in decisions affecting that individual's employment, education, living environment, or participation in a college activity. The actual or perceived characteristics include, but are not limited to:

- a. Age, color, creed, disability, domestic violence victim status, gender, gender identity (including transgender status or gender expression), familial status, marital status, military status, national origin, predisposing genetic characteristics, pregnancy-related condition, prior arrest or conviction record, sex, race, religion, retaliation for opposing unlawful discriminatory practices, or other classes protected by applicable law.

10. Discriminatory Harassment. Defined as unwelcome verbal, written, online, or physical conduct based on an individual's actual or perceived protected status when an individual is subjected to substandard terms, conditions, or privileges of employment. For example, when:

- a. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; degrades, humiliates, or denies a person or persons the full and free exercise of their rights or privileges; or unreasonably interferes with an individual's work performance or the progress of the individual's education; or
- b. The acquiescing to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement, or
- c. The acquiescing to or resisting of such conduct by an individual is used as the basis for employment or academic decisions affecting such an individual.
- d. A single instance of inappropriate conduct may or may not be sufficient to create such an environment. The determination depends on the severity of the conduct and related circumstances. Inappropriate behavior that is repetitive and pervasive is normally deemed to create such an environment and thus will constitute harassment.
- e. Harassment is not limited to prohibited behavior by one gender towards another, or by a supervisory employee toward a non-supervisory employee, or a faculty to student. Harassment may be student to student, faculty to staff, or any gender identity and combination of student, faculty, staff or visitor.
- f. *Bias-Related Conduct:* Includes a broad range of conduct that can be verbal, non-verbal, written, or physical conduct that harms, discriminates or harasses anyone in our community based on age, color, creed, disability, domestic violence victim status, gender, gender identity (including transgender status or gender expression), familial status, marital status, military status, national origin, predisposing genetic characteristics, pregnancy-related condition, prior arrest or

conviction records, sex, race, religion, retaliation for opposing unlawful discriminatory practices, or other classes protected by applicable law.

- g. Incidents of bias-related conduct, discrimination, and discriminatory harassment will be reviewed in accordance with the procedures in the [College's Policy Against Bias, Discrimination, & Harassment](#).

11. Disruptive Behavior - Off Campus. Substantial disruption of a peaceful environment and/or Hartwick operations including behaviors that take place at an off-campus location. These include, but are not limited to, being a public inconvenience or creating a substantial disruption that annoys or alarms, or that recklessly or intentionally causes disruption to operations or activities which serves no legitimate purpose.

12. Disruptive Behavior - On Campus. Substantial disruption of a peaceful environment and/or Hartwick operations, including, but not limited to:

- a. Obstruction of teaching, research, administration, other Hartwick activities; or
- b. Other authorized non-Hartwick activities which occur on campus; or
- c. Any type of disruption or conduct that interferes with the rights and opportunities of those who attend Hartwick for the purposes for which the College exists; or
- d. Speech or behavior that materially and substantially disrupts the College living and/or learning environment will not be tolerated (this may include, but is not limited to, behavior that is not in line with the College's Peaceful Assembly/Protest Procedures and Protocols and/or Guidelines).
- e. The classroom disruption policy can be found at:
<https://www.hartwick.edu/academics/student-services/academic-affairs/academic-policies/>.

13. Drugs. Hartwick College prohibits the possession, use, manufacture, control, sale and/or distribution of illicit drugs or paraphernalia.

- a. *Use of Drugs.* Use of illicit drugs is prohibited.
- b. *Possession of Drugs.* Possession of illicit drugs is prohibited.
- c. *Paraphernalia.* Defined as any equipment, product, or material that is utilized for making, using, modifying, or concealing drugs.
- d. *Distribution.* Selling or distributing illicit drugs, equipment, or materials is prohibited.
- e. *Production.* Manufacturing of illicit drugs, equipment, or materials is prohibited.
- f. *In the Presence Of.* Being in the presence of drugs or items that are, or in a context that is, otherwise prohibited by College policy.
- g. *Marijuana.* While the state of New York has legalized the use of recreational marijuana for those age 21 and older, possession of marijuana (in any form) is still prohibited on the Hartwick College campus.

14. Election Tampering. Tampering with the election of any Hartwick recognized student organization (minor election code violations may be addressed by the Student Government Association, in consultation with the DRLCS).

15. Failure to Comply. Failure to comply with the authorized directives of Hartwick officials or law enforcement officers during the performance of their duties and/or failure to accurately identify oneself to these persons when requested to do so.

16. Failure to Report.

- a. Complicity with or failure of any student to appropriately address, either by safe intervention which is lawful and consistent with Hartwick policy, or by reporting to appropriate Hartwick authorities, any known, suspected, or obvious violations of the Code or applicable law; or
- b. Complicity with or failure of any organized group to appropriately address, by safe intervention which is lawful and consistent with Hartwick policy, or otherwise by reporting to appropriate Hartwick authorities, known, suspected, or obvious violations of the Code or applicable law by its members.

17. Falsification. Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments.

18. Financial Responsibilities. Failure to promptly meet financial responsibilities to Hartwick, including, but not limited to; restitution affiliated with an Educational Outcome assigned as part of the community standards process, or knowingly passing a worthless check or money order, or providing fraudulent credit card information in payment to Hartwick or to an official of Hartwick acting in their official capacity.

19. Fire Safety. Violations of local, state, federal or campus fire policies including, but not limited to:

- a. Intentionally or recklessly causing a fire that may damage Hartwick or personal property or may cause injury; or
- b. Starting an unauthorized fire in violation of the Fire Pit/Grills Use Policy; or
- c. Failure to evacuate a Hartwick controlled building during a fire alarm; or
- d. Improper use of Hartwick fire safety equipment; or
- e. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on Hartwick property. Such action may result in a local fine determined by the Fire Marshal in addition to Hartwick Educational Outcomes; or
- f. A violation of the New York State Fire Code.

- 20. Gambling.** Gambling as prohibited by law. Gambling may include raffles, lotteries, sports pools, and online betting activities. Organized gambling is prohibited on college property and at college-sponsored events.
- 21. Harassment.** With intent to harass, annoy, or alarm another person, the student strikes, shoves, kicks, or otherwise subjects such other person(s) to physical contact or attempt to threaten to do the same; or the student engages in behavior or repeatedly commits acts which alarm or seriously annoy such other person(s) and which serves no legitimate purpose.
- 22. Harm to Persons.** Intentionally or recklessly causing physical or emotional harm or endangering the physical or emotional health or safety of any person.
- 23. Hazing.** Any act that endangers the mental or physical health or safety of a person, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy and subject the student to the community standards process.
- 24. Health and Safety.** Creation of health and/or safety hazards, which may include, but are not limited to:
- a. Dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.;
 - b. Engaging in fighting or in violent, tumultuous or threatening behavior, or making unreasonable noise that causes a disturbance;
 - c. Using abusive or obscene language, or making an obscene gesture;
 - d. Disturbing any authorized assembly or meeting of persons without lawful authority;
 - e. Obstructing vehicular or pedestrian traffic;
 - f. Congregating with other persons in a public place and refusing to comply with a legitimate request by an official to disperse;
 - g. Creating a hazardous or offensive condition by any act which serves no legitimate purpose.
- 25. Infringement of Certain Intellectual Property Rights.** Unauthorized use or misuse of the names, images, logos, trademarks, service marks, or other infringement of intellectual property rights of Hartwick or an organization recognized by Hartwick.

- 26. Information Technology and Acceptable Use.** Access to Hartwick College technology resources is a privilege, not a right. This privilege is extended to all users, including faculty, staff, students, trustees, alumni/ae, and affiliated individuals and organizations. Hartwick's technology resources include computing facilities, telecommunications and network services, video network services, web page servers, equipment, software, applications, information resources, printing and scanning services, and user and technical support provided by Information Technology staff.
- 27. Ineligible Pledging or Association.** Pledging or associating with a student organization without having met eligibility requirements, or rushing, pledging, joining, recruiting for, perpetuating, or otherwise engaging in activities as an actual or prospective member of an undergraduate fraternal or similar selective membership organization not recognized by the College; anyone engaging in such activities, either as an actual or prospective member, will be held accountable under the Code, which may include suspension or expulsion.
- 28. Other Policies.** Violating other published Hartwick policies or rules, including, but not limited to, all Pine Lake, Residence Life, Information Technology, Title IX, and Academic Affairs related policies.
- 29. Possession of a Restricted Item.** Possession of a restricted item that is not permitted on campus and/or in college housing as identified in college policies.
- 30. Public Exposure.** Deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.
- 31. Prescription Medication.** Abuse, misuse, unlawful sale, or unlawful distribution of prescription or over-the-counter medications.
- 32. Residential Life and Housing Policy Violation.** Any violation of the Residential Life and Housing policies. See Policy Appendix A for complete policy.
- 33. Rioting.** Causing, inciting, or participating in any disturbance that presents a clear and present danger, causes or creates a significant risk of physical or emotional harm to self or others, and/or damage and/or destruction of property.
- 34. Retaliation.** Any intimidation, harassment, discrimination, retaliation, or other adverse action against an individual as a result of that individual participating in, or cooperating with Hartwick processes (including without limitation the community standards process).

- 35. Sexual Misconduct.** A broad term that encompasses a wide range of prohibited behaviors and a term used to refer to any form of discrimination, including harassment, based on actual or perceived sex, gender, sexual orientation, gender identity, and/or gender expression, sexual harassment, sexual assault, dating violence, stalking, sexual exploitation, and any other form of non-consensual sexual activity or related misconduct. Incidents of sexual misconduct will be reviewed in accordance with the procedures in the College's Title IX and Sexual Misconduct policy.
- 36. Smoking.** Smoking of any substance, including the use of electronic smoking devices, vaporizers, hookahs, bongs, pipes, cigars, cigarillos, and cigarettes, is prohibited on campus property.
- 37. Solicitation.** Any unauthorized solicitation is prohibited. Solicitation is defined as any active attempt to raise funds through direct sale of merchandise, services, or donations, with or without products or services rendered, or provide a personal service (with or without payment). Also, any method of communication intended to induce support of a service, organization, business activity, issue, cause, etc., will be considered solicitation.
- 38. Stalking.** Stalking is a course of conduct directed at a specific person that would cause a reasonable person under similar circumstances and with similar identities to the victim to:
- a. Fear for his or her safety or the safety of others; or
 - b. Suffer significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- 39. Stolen Property.** Knowingly taking or maintaining possession of stolen property.
- 40. Taking of Property.** Intentional and unauthorized taking of Hartwick property or the personal property of another, including goods, services, and other valuables.
- 41. Threatening or Intimidating Behavior.** Written or verbal conduct that causes a reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property and/or expressed or implied acts of the same.
- 42. Tobacco Policy.** The use of tobacco is prohibited within the Hartwick College campus. This includes all buildings (including residence halls), parking structures, campus walkways, University owned vehicles, public spaces on campus, and privately owned vehicles parked on University property. This policy applies to all students, faculty, staff, contractors, vendors, and other visitors to all University property. Prohibited tobacco products include, but are not limited to, cigarettes, cigars, cigarillos, pipes, hookahs, all smokeless tobacco products and electronic smoking devices (E-cigarettes and vapes).

- 43. Trust.** Violations of positions of trust within the community, including, but not limited to, student leadership positions, study abroad participants, on-campus internship participation, or on-campus employment.
- 44. Unauthorized Access.** Unauthorized access to any Hartwick physical spaces, accounts, information, or systems, including, not limited to:
- a. Access through unauthorized use of keys, cards, etc.; or
 - b. Unauthorized possession, duplication, or use of means of access to any Hartwick building (e.g. a key or card); or
 - c. Failing to timely report (within 48 hours) a lost Hartwick identification card or means of access (e.g. a key or card); or
 - d. Misuse of access privileges to Hartwick premises; or
 - e. Trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a Hartwick building; or
 - f. Access to or presence in any Hartwick building that a student has been restricted from; or
 - g. Access to or presence in any residence hall during times they are closed (i.e. breaks, summer); or
 - h. Accessing information systems without authorization; or
 - i. Using information from authorized information systems in an improper manner.
- 45. Violations of Law.** Engaging in behavior that is a violation of applicable law that is not otherwise described in this Code of Community Standards.
- 46. Vehicles.** All vehicles must be registered with Campus Safety. First Year students with registered cars are only permitted to park in the Upper Binder and Miller Court lots.
- a. *Tickets.* Campus Safety is responsible for ticketing vehicles that are improperly registered, parking in lots that do not match their parking sticker, or parking in non-designated parking spots. Students are responsible for paying tickets in a timely manner. Failure to pay tickets, or accumulating more than 3 tickets in the course of a semester, is a violation of the Code of Community Standards and students can lose permission to have their vehicle on campus.
 - b. *Reckless Driving.* All vehicle users are expected to follow posted signs on campus and drive in a manner that does not impede the traffic of other vehicles or pedestrians.
 - c. *Non-Registered Vehicles.* Students who fail to register their vehicle may lose permission to have their vehicle on campus.

47. Weapons. Possession, use, or distribution of explosives (including, but not limited to, fireworks and ammunition), guns (including, but not limited to, air, BB, paintball, facsimile weapons, pellet guns, water gel guns, or other projectiles), other weapons or dangerous objects such as arrows, axes, machetes, nunchucks, throwing stars, or blades in excess of three (3) inches in length (knives, swords, etc.), including the storage of any item that falls within the category of a weapon in a vehicle parked on Hartwick property. In addition, any items not listed that are defined as a weapon under federal, state, or local law are also included.

48. Wheeled Devices.

- a. Skateboards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted to be used inside Hartwick buildings, residence halls, or on tennis courts (without written permission from the Athletic Director or designee).
- b. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or other fixtures that may be damaged by these activities and Hartwick reserves the right to charge individuals for the costs of repairing damages to Hartwick property caused by these activities.
- c. E-bikes, hoverboards or any other wheeled devices that use lithium batteries or need to be recharged in any way are not permitted in residence halls.

II. Policy Appendix

Residential Life and Housing Policies:

Introduction

All Hartwick College residential students are an integral part of the campus community, and as such there are community standards and responsibilities that make the community successful.

The Residential Life and Housing policies are meant to provide a safe, comfortable and respectful residential experience with a focus on academic, personal, and social growth through shared experiences.

For questions regarding a student's right to privacy while living in on-campus housing please review the Right to Privacy for Students Living On Campus section to better understand the College policy.

In addition, once notice is received from any source (victim, Resident Advisor, third party, online, etc.) that an alleged violation has occurred, Hartwick College may proceed with a preliminary investigation and/or may schedule a community standards meeting with the student(s) involved. These meetings may be used to gather information about the alleged policy violation or to inform the student of next steps in the community standards process.

Right to Privacy for Students Living On Campus

The College reserves the reasonable right to enter a residence hall room in order to ensure proper maintenance, to provide for the protection, safety, and welfare of students and the College, and/or to investigate when reasonable cause exists to believe that a violation of residential life policy or College policies, procedures, rules, or regulations has occurred or is occurring.

Based upon the College's need to enter a student room, every attempt will be made to abide by the following procedures when entering college owned housing:

Facilities Maintenance and Repair: College or Aramark personnel may enter a student's room, when credited to a formal work order, to perform scheduled maintenance, and/or to complete necessary repairs and/or work orders.

Health, Safety, and Break Inspections: Periodic inspections are conducted during the year and at the end of the term by the Oneonta Fire Department, Building Codes Enforcement Department, Health Department, College insurance representatives, Campus Safety, Residential Life and Housing, and other College Officials acting in accordance with their duties for the purpose of protecting the health, safety, and security of the College facilities and community. These regular inspections will generally be announced in advance and, when practical, they will be conducted in the presence of the occupants and/or a member of the residential life and housing staff. During

breaks and/or closing, students' rooms are checked to be certain that lights are off, all items are unplugged, windows are closed and locked, blinds are closed and no apparent policy violations are evident. If a room inspection prompts reasonable cause to believe that College policies, procedures, rules, or regulations are being violated, the Director of Residential Life and Community Standards or designee may authorize a thorough search of the room.

Emergency Inspections: When there is reasonable cause to believe that there is imminent risk to the life, safety, health, or property of a student or that of the College, inspections may be made by any member of the residential life and housing staff, campus safety, student experience, building code enforcement, or Aramark staff without prior notice in order to take whatever corrective action is necessary or initiate emergency response as appropriate. Under these circumstances, a written report setting forth the nature of the emergency and the action taken will be submitted to the Director of Residential Life and Community Standards.

Searches by Civil Authorities Pursuant with a Search Warrant: In the event a search warrant is issued by a civil authority for a residence hall or part thereof, campus safety personnel will accompany the authorities executing the search warrant solely to facilitate entry into the identified areas.

Entry to or Inspection of Student Rooms: If there is reasonable cause to believe that there is an imminent risk and/or College policies, procedures, rules, or regulations are being violated, the Director of Residential Life and Community Standards or designee may authorize entry into a student's room for purpose of inspection. Such inspections are considered a reasonable exercise of the College's responsibility to maintain discipline and a healthy and safe educational atmosphere. When practical, the inspection will be conducted in the presence of the occupants of the room. These types of inspections may also be conducted in recognized Greek houses when deemed appropriate.

Confiscation of Items or Property: During the course of any inspection, if any item/property is observed which is unlawful or in violation of College policies, procedures, rules or regulations, the item/property may be confiscated. The decision to confiscate items/property is made on the basis of common sense, property value, and the likelihood of rapid disposal. A notice of confiscation will be left behind identifying confiscated items. Confiscated items/property will be turned over to residential life and housing staff, campus safety or to other appropriate student experience staff, and a report will be sent to the Director of Residential Life and Community Standards for review. Confiscated property may be returned if deemed appropriate, however the timing of an item's return may be dependent upon a number of factors including but not limited to, when a student is scheduled to return home. In addition, some items confiscated that are in violation of College policies, procedures, rules, or regulations, may not be returned and will be disposed of accordingly; finally, any item confiscated that is deemed in violation of the law will not be returned.

For more information, review the Student Privacy Rights & Confidentiality section of the Code of Conduct.

Residency Requirements

Hartwick College is a residential liberal arts and sciences college. The Office of Residential Life and Housing offers our residential students a variety of experiential learning opportunities to support their academic, social, and personal success. All students are required to live in college housing through their senior year.

Hartwick College will provide housing for all students that are eligible for housing, as space allows. Submitting appropriate applications, forms, and documentation before associated deadlines is required. All applications and forms can be found on the Housing Portal.

Only students currently enrolled and registered as full-time students are permitted to occupy College residences.

Full-Time Students

All full-time students are required to live in college housing through their senior year. Three-Year Degree Program students are required to live on campus for the entire three years.

Housing Eligibility

Part-time students are not eligible to live in Hartwick College residence halls. In some cases, students in their final semester of their senior year may be eligible for an exception to this policy, depending on the situation. These students must have the express written permission of the Director of Residential Life and Community Standards to live in on-campus College housing.

A part-time student is:

- a student enrolled for seven credits or fewer during the fall semester;
- a student enrolled for less than three credits during the January term.

Any student who falls to part-time student status, except for those with written permission from the Director of Residential Life and Community Standards, will be removed from their on-campus residence.

Off-Campus Living

For students who meet the Exemptions to the Residency Requirements, the Housing Exemption Application for the succeeding fall semester must be completed by the appropriate deadline. The Housing Exemption Application must be submitted through the housing portal.

Once a housing exemption has been granted, a student wishing to move back to on-campus College housing during the academic year must notify the Residential Life and Housing Office of their desire to live in College housing. College housing will be provided in such cases as space becomes available after students required to live on campus have been housed.

Accommodations and Exemptions to the Residency Requirements

Students seeking exemption from the college's residency requirement must complete and submit the Housing Exemption Application.

Students are exempt from the college's Residency Policy if they can show that they are:

- A recognized fraternity/sorority member living at the recognized fraternity/sorority house (requires roster submitted by fraternity/sorority President). Fraternity/Sorority members who wish to reside at the recognized fraternity/sorority house must complete the Greek Housing Exemption Application in the Housing Portal..
- An approved commuter (must live within a 30-mile radius of the campus at parent or guardian's home). Commuters must submit appropriate documentation by the due date on the Housing Exemption Application. Students listed as a commuter and later found living in off-campus quarters will be assigned a room and meal plan on campus and charged accordingly.
- Married (requires marriage certificate and the Housing Exemption Application). Hartwick College does not offer married/family housing.
- In a domestic partnership or civil union (requires documentation recognized by the state where partnership/union is established and the Housing Exemption Application. Hartwick College does not offer married/family housing.
- Supporting dependent children (requires dependent birth certificates and the Housing Exemption Application). Hartwick College does not offer married/family housing.
- 23 years of age or older by the first day of classes of the Academic Year (requires birth certificate and the Housing Exemption Application submitted by the deadline).
- Fifth Year Senior (has completed 8 semesters at full time status not including January Term)
- Any student that has received written approval to live off-campus from the Office of Residential Life and Housing (Housing Exemption Application).

Students are strongly encouraged not to sign a lease until written approval is provided. Hartwick College students are billed for room and board until they have submitted all necessary paperwork and received written approval from the Office of Residential Life and Housing to live off campus.

Students should contact the Financial Aid Office to discuss the impact of their decision to live off campus on their financial aid award. Students receiving financial aid may have their award reduced once permission is granted for them to live off campus.

Housing Accommodations

Housing Accommodations are approved by a committee composed of members of the staff from the Perella Health Center, the Counseling Center, the Center for Student Success, and Student Experience. Students with housing accommodations must complete the Housing Accommodation Request form found on the AccessAbility Services website. Appropriate

documentation must be included with the form. It is then reviewed by the appropriate office and the decision communicated to the committee for discussion. Once a final accommodation has been determined, that decision is communicated to the student and appropriate offices.

Students with approved housing accommodations that require placement before housing selection will go through the Accommodations Preference process and be placed by the Office of Residential Life and Housing prior to housing selection. While disclosures are accepted throughout the year, students will be expected to go through the housing selection process if they have not been approved by a certain date. The Office of Residential Life and Housing will make allowances for accommodation spaces during the housing selection process and will work with late-approved students after selection to place them in a space that meets their accommodation.

All residential halls have a full kitchen. Students with housing accommodations will be placed in buildings that meet their class year and accommodation needs. Seniors typically live in the Apartments, Townhouses, Leitzell Suites, and Pine Lake Cabins. Juniors and Sophomores typically live in van Ess Hall, Hilltop House, Oyaron House, and Smith Hall. First Year students typically live in Wilder Hall, Saxton Hall, and Holmes Hall.

Housing Agreement

All returning students residing in a College residence must submit a Housing Application by the appropriate deadline to be eligible for the housing selection process for the next academic year. Students who do not submit the Housing Application by this deadline will be placed by the Office of Residential Life and Housing after the Housing Selection process.

New students residing in a College residence must submit the Housing Application on the Housing Portal, or the Housing Exemption form, which includes the Housing Agreement, by the appropriate deadline. Students that do not submit the Housing Application by this deadline will be placed in housing after the other students have been housed.

Failure to submit the Housing Application may result in cancellation of a student's registration at Hartwick.

Right to Assign & Relocate

The Residential Life and Housing Office reserves the right to assign any vacancy in College-owned housing at any time and/or to reassign any student at any time.

Gender Inclusive Housing

Hartwick College strives to create a comfortable living environment for students of all gender identities. We recognize that sex-segregated housing may not be the best option for some students. Each student's needs are different and therefore are reviewed on an individual basis depending on class year.

First Year Students: Students can indicate gender identity on their housing application. Students who indicate they are non-binary, transgender, or indicate they are comfortable living in a mixed gender room will have conversations with professional staff in the Office of Residential Life and Housing to determine a roommate match. Once the semester begins, students can request roommates of a different gender through our room change process, space permitting.

Upperclassmen Students: Students can pick the roommates of their choosing, regardless of gender, when selecting suites or doubles. Our gender inclusive floor is the PRIDE floor. All multi-stall bathrooms in regular corridors are designated by gender. Bathrooms in suites and apartments are gender inclusive.

Additional Information:

We will not ask the relationship status of roommates in the housing selection process. Some things to consider before living with a partner, just like with any roommate, are: communication styles, room cleanliness, guest policies, and privacy needs.

First-year students are only assigned to gender-inclusive spaces when requested. For upper-class students assigned after the selection process, we communicate with the students of the suite and the student moving in to make sure everyone is comfortable with the situation before assigning someone to a mixed gender suite. We do not assign students to mixed gender doubles.

Checking In

Students residing in a residence hall must check in with a Residential Life Staff Member. During check in, a student will be provided with their room key. Students will have until the end of the first week of classes to review the Room Inventory Form for their room on the Housing Portal and agree to the status of each item. Students will be billed for damages and for not adhering to established procedures.

Early Arrivals

The only students permitted to arrive prior to the check-in date at the beginning of each semester are those students whom college departments have requested to be on campus. These may include student athletes for practice, students working on campus, or students on campus for training purposes.

Any violation of institutional policy during the early arrival period will subject the student to immediate removal from College housing until the start of the semester, as well as Student Conduct action.

Any student approved to be on the Early Arrival list will be sent home if:

- They violate college policy;
- They allow their roommate to move in before they are approved to do so;
- They are no longer part of the group/team/reason for arriving early; or
- They are no longer part of the office/team/group that invited the student to campus early.

Early Arrival Fee

Students who arrive prior to their check-in day will be charged \$250 per day.

Room Inventory Forms

A room inventory form is available to each student via the Housing Portal. Students should indicate agreement with the Room Inventory Form in the portal by the end of the first week of classes. This form is used to indicate the condition of the room upon check-in/check-out.

College Breaks

All residence halls will remain open during scheduled breaks, with the exception of the end of fall semester. At this time all residence halls will close for the period between the end of fall semester and the start of January Term.

Students must notify and obtain approval from the Office of Residential Life and Housing at least one week in advance of the scheduled break of their intent to remain in any College-approved housing during a College recess (other than between fall semester and January Term) by completing the Break Housing form on the Housing Portal.. Failure to do so may result in loss of privilege to reside in residence halls, or other College-approved housing, during breaks.

Room Changes

Students wishing to change rooms within residence halls should speak with their Residential Life Professional Staff Member. In all cases, when a student expresses the desire to change their living environment, Residential Life staff will assist the student in exploring the reasons for the request and the options that may be available. Consideration will be given to the student's overall development.

If a change is recommended by the Office of Residential Life and Housing, students must follow the appropriate steps, as determined by the Residential Life staff, to change their room assignment. Once these steps have been completed, the Residential Life staff member will submit the room change form to make the room change official and have a student's ID card assigned to the new residence hall.

- The Office of Residential Life and Housing will not approve room changes solely on the basis of differences in race, religion, sexual orientation, physical ability, national origin, or age.
- No room changes will be granted during the first two or last two weeks of any term.

- Students changing rooms without approval will be required to move back to their original room and may be subject to Student Conduct action.
- In the event that a vacancy in a double or triple room cannot be filled, students in doubles or triples without roommates may be consolidated.
- The ability to change rooms may be limited by the space available.
- Any student who wishes to change rooms must submit a Room Change Request.

Unapproved Use of Vacancies

If at any time a vacancy becomes available in a student's room or apartment, it is the student's responsibility to ensure the space remains ready and available for a student to be placed in that vacancy. This includes, but is not limited to: one set of college owned furniture (bed, mattress, desk, desk chair, wardrobe, two dressers, and night stand) must be readily available at all times and the vacant side of the space must be clean of all debris. Any student found utilizing vacant space(s) in their room/apartment without the approval of Residential Life & Housing will be charged the price of a pro-rated super single from the date it was discovered.

Refusal of another college assigned student to the vacancy and/or the presence of an unwelcoming environment will result in judicial action and a super single charge for the remainder of the semester or academic year.

Housing Waitlist

Students can submit a Room Change Request form for a room change at any time. Students interested in being added to a waitlist for a specific building or type of room should email reslife@hartwick.edu with their request. As rooms become available, they will be allocated to students based on the order of the waitlist. A student is not required to accept the offer of a room change from the waitlist if it is offered. Students should understand that if they assume occupancy in a room and there is a cost difference, their contract will be amended and the room rate charges will be adjusted accordingly.

Checking Out

During check out due to end of semester hall closings, leave of absences (LOA, MLOA), withdrawals, etc., the student will return their room key and complete the checkout portion of the Room Inventory Form online. All rooms will be checked by a Residential Life staff member after the student has vacated the room. The staff member will compare the current room condition with the original inventory form. Students will be held responsible for the condition and cleanliness of their room and furnishings, and any loss or damage other than normal wear that occurs during their occupancy. Furniture and other items may not be left in hallways, utility rooms, or public areas. Any such items left in the student's room assignment will be removed by College staff and residents will be held accountable for appropriate replacement costs. Students

who take a LOA of any kind and/or withdraw will have two weeks from the date Residential Life & Housing is notified of your academic plan to remove their belongings from their assignment and return their room key to Residential Life & Housing. This form is not the final billing statement. Any student failing to check out of their room properly will be billed \$50 for failure to check out, in addition to any charges for damages and may result in Student Conduct action.

Vacating Rooms

The following vacating schedule must be followed to allow proper cleaning and maintenance of rooms between residents:

- Any residents terminating occupancy at the end of any term must vacate their room within 24 hours after their last exam and no later than 12:00 p.m. on the last day of the term
- All summer residents must vacate their rooms by the last day of the program.
- Any student leaving on leave of absence, extended medical leave, or withdrawal must vacate their room within 24 hours of the effective date of leave (or withdrawal).
- Students may be required to leave their College residence immediately if found to be in violation of the Student Code of Conduct and campus policies and/or considered a threat to themselves or others.
- Students will incur a cleaning charge for any room left in unacceptable condition. Personal belongings remaining in a room will be removed by the College and may be discarded; students will be billed for their removal.

End of Academic Year

Non-graduating students:

- Students whose last final exam is on Monday, Tuesday, or Wednesday of finals week must check out within 24 hours of their last exam.
- Students whose last final exam is on Thursday of finals week must check out by 12:00 p.m. on the Friday of final exam week.
- Summer storage areas are not available. All personal items left in residence hall rooms, storage rooms, or public areas after the end of spring semester will be disposed of and students will be billed for the removal.
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Graduating students, Commencement volunteers and Summer Housing students:

- Students that meet one of the following criteria are required to check out of their on-campus housing by 8:00 p.m. on the day of Commencement:
- A senior who will be walking in the Commencement ceremony;
- A student who has been pre-approved to volunteer at Commencement through the Office of Campus Vibrancy (e.g. marshals, ushers, volunteers, musical ensemble);
- A student who has submitted and been approved by the Residential Life and Housing office to stay on campus for the summer for classes, research, Orientation training or

summer employment. These students will move from their current residence hall to their summer room on the Sunday following Commencement. Moves must be completed by noon; or

- An approved exception by the Office of Residential Life and Housing.

Housing Selection Process

The online housing portal can be used to complete the housing application, selecting roommates, and selecting housing. There are three stages to our housing selection process: completing a housing application, selecting roommate(s), and selecting a housing assignment.

Housing Application

All students at Hartwick (remote, commuting, residential, RAs/SRAs, etc.) will need to log in to the housing portal to complete the housing application by the advertised date during the Spring semester. If a student fails to complete the housing application, they will not be allowed to go through the housing selection process. A student should fall into one of the following categories:

Returning Residential Student: If a student doesn't meet any of our housing exemption reasons and they are not eligible to live in a Greek house off-campus. They will log in to the housing portal using their Hartwick credentials, then select the Housing application. The student will provide us updates on personal information, fill out the roommate matching questions, list preferences for special communities, list preferences for room type, and select a meal plan. The student will then sign the housing agreement and submit their application.

Greek Exemptions: If a student has made arrangements to live in a Greek house off-campus for the upcoming academic year, they will log in to the housing portal, click on Housing Application, and then click on the link to "Apply for an Exemption." In the drop down on the next page, select "Greek Exemption." Complete the questions and agree to the statement listed. The student's status will be set at pending approval until it is reviewed and approved by the Office of Residential Life and Housing.

Housing Exemptions: If a student meets one of our housing exemptions (commuting, over 23 years of age, married, primary guardian of a child, completed 8 semesters (fall and/or spring) on campus, or medical exception), they should log in to the housing portal, click on Housing Application, and then click on the link to "Apply for an Exemption." In the drop down on the next page, select "Housing Exemption." Complete the required questions and upload documentation. For this first year using the housing portal, we are asking all students who have previously been approved for a housing exemption to complete the housing exemption form so we have the most up to date records for all students.

Housing Selection Lottery Numbers

After all students have completed the housing application, and we have housed accommodations and approved exemptions, we will release housing selection numbers.

Roommate Selection

Students can self-select roommate groups in the housing portal. When selecting roommate groups, students should be mindful of the space they are seeking. Students that do not select into roommate groups will be paired with roommates based on their answers to the housing application questions, so it is important that students answer all questions as accurately as possible.

Housing Assignment Selection

Housing Selection will happen across three days. Dates will be released at a later time. After students have completed their roommate matches, we will verify roommates if the student indicates interest in apartments, townhouses, cabins, suites. All buildings available to upperclassmen will be available during all the selection periods. As halls fill up, they will be removed from availability. If a student is selecting an apartment, townhouse, cabin, or suite, they must fill the suite. A group of 3 cannot select a space they cannot fill.

Theme Communities

Theme Communities offer students who share educational, social, and/or extracurricular interests the opportunity to live together. Students will be able to explore their passions with a cohort of like-minded students and enjoy an increased sense of belonging.

The benefits of living in a Theme Community are:

- develop a network of friends;
- make an easier transition to college;
- meet students who have a common interest/goal;
- participate in activities related the Theme Community;
- experience a residential setting that is an active, supportive, and exciting place to live and learn.

The expectations of living in a Theme Community are:

- While Theme Community activities are not required, students are encouraged to participate in the activities and programs focused on the theme of the community;
- We encourage each student to become a partner in their education by becoming an active leader and learner within the Theme Community;
- Build a sense of academic pride in the living space;
- Bring faculty, staff, and students together outside the classroom with programming & events;

- Respect. This Theme Community offers exposure to a wide variety of people, perspectives, and personalities and develops residents' regard for individual differences and their ability to participate effectively in the larger community;
- Create an inclusive community that promotes self-awareness and positivity;
- Create meaningful connections to academics, campus initiatives, and social experiences;
- Respect and abide by the Student Code of Conduct and Campus Policies;
- Work with the Residential Life Staff to improve the Theme Community living experience and share new ideas.

Pine Lake Environmental Campus – At Pine Lake

Pine Lake Environmental Campus provides students with opportunities for hands-on research, academic study, and self-discovery. Students can live in and learn from a primarily natural setting. Pine Lake is a place where challenge, reflection, and recreation can lead to personal renewal, growth, appreciation of nature, and responsible environmental stewardship.

- Students living at Pine Lake may not be under College disciplinary sanction and should be in good academic standing (GPA greater than 2.25).
- Portions of the Lodge will be reserved for a first-year living learning community in Spring semester. All First-Year Students must live in Robertson Lodge.
- Information about what Pine Lake provides (furnishings, etc.) and what to bring is in the Pine Lake Handbook.
-

P.R.I.D.E. – People Respecting Identity, Diversity, and Equality

Hartwick is supportive of LGBTQ & Ally students. This Theme Community intentionally allows for students who are LGBTQ-friendly to live together in a positive, supportive community. In addition to creating a safe space for students of all identities, this theme community embraces honest dialogue about gender, gender expression, sexuality, and interpersonal relationships as a means toward self-awareness. All members of this community participate in Safe Space Training. This community offers gender-inclusive housing.

Honors Housing

Honors Housing provides students with a special experience by fusing residence hall living with honors learning, and provides a stimulating intellectual and social atmosphere. Honors Housing can allow for students to interact with other members of the honors community, contribute to an environment of mutual respect by recognizing differences in individuals, and allow learning to be ongoing.

Students must be in the Honors Program in good standing, or be the roommate of a student in the Honors Program. (Roommates are expected to adhere to Theme Community guidelines and expectations.)

All Honors Program requirements are to be completed.

Residence Hall Policies**Health and Safety Checks**

Health and Safety Checks are required in all college owned housing. These checks are conducted to increase safety within our residential buildings by timely identification and removal of violations from student rooms. These checks also allow our staff an opportunity to educate residents through positive, personal contact.

During the check, Resident Advisors (RAs) conduct a “plain sight” scan of the room. They do not open drawers, refrigerators, or closets, but may move (or ask the resident to move) items blocking outlets.

At the end of the fall semester inspections are conducted by Residential Life staff in all college owned housing. During this inspection, student’s refrigerators will be checked and opened to ensure that they are empty and unplugged.

Fire Safety Inspections

The safety of every student is of paramount importance to the College. As such, residence halls have been equipped with various emergency systems and equipment to help ensure student safety.

The New York State Office of Fire Prevention and Control (OFPC) routinely inspects all Hartwick College facilities’ common areas and randomly selected residential spaces for fire code violations. Hartwick College works with OFPC to identify and correct violations. Should a violation occur in a student’s space, that student will receive notice and must immediately correct the issue. If the violation remains upon subsequent inspections, the student will be responsible for any resulting consequences which could include fines from OFPC.

Fire Drills

Fire drills are held periodically, as prescribed by New York State law, under the supervision of the Director of Campus Safety. All residents must comply with these drills by vacating the premises and reporting to designated areas. Some drills may involve room checks to ensure that the building has been properly vacated. Students failing to vacate a building during a drill will be subject to disciplinary action.

It is crucial that all members of the Hartwick College community take fire drills seriously; participate when they are conducted, and follow the instructions and directions of the person in charge.

All members of the college community must become familiar with the emergency exit routes from residence halls and buildings.

Fire Safety Tips

If a student detects a fire in a campus building or residence hall, the best advice is to stay calm and:

- Exit the building, and on the way out, and if you are able without putting yourself in danger:
 - Alert occupants
 - Pull the fire alarm
 - Call the switchboard (ext. 4111)
- If you are caught in a fire:
 - If the door is hot, do not open it.
 - Close doors behind you as you exit.
 - Crawl if you are caught in a smoke-filled hallway. (Stay Low and Go)
 - If confined to a room, hang a towel or sheet out the window.
 - If your clothing catches fire, STOP, DROP and ROLL.

Fires

No open fires outside of permitted fire pits are allowed on campus. Persons deemed responsible for fires that result in damages to College or personal property will be liable for the cost of the repairs and the loss of property.

Barbecues

Hibachis, other open fire grills, charcoal, and gas/propane grills are not permitted on campus, including in or around residence halls and townhouses unless expressly provided by the college. On the Pine Lake campus, students are permitted to use personal grills under the parameters listed in the Pine Lake Living Guide.

Candles and incense

The burning of candles and incense is not permitted. Students should not display candles with wicks in their rooms. Candles that are confiscated will not be returned to the owner.

Open Flame Appliances

Oil lamps, lanterns, and other devices and appliances with an open flame create a safety hazard and are not permitted in residence halls.

Fire Equipment

Fire alarms, fire detectors and emergency equipment systems are located in all residence halls. Fire extinguishers are strategically placed throughout all residence halls. Tampering with fire alarms, fire suppression systems (sprinklers and extinguishers), and detection systems (including false alarms) is a violation of New York State law and local ordinances.

Appliances and Electronics

The use of electrical equipment and appliances in the residence halls can pose serious safety hazards. Failing to follow these detailed guidelines can easily overload electrical outlets or damage the distribution system, and result in a serious electrical fire.

1. Electrical appliances should be Underwriters' Laboratory (UL) approved and in good operating condition.
2. Residence hall rooms are not designed or permitted to be used as kitchens, as electric appliances used to prepare food present extreme fire safety hazards.
 - a. In rooms without a private kitchen: Coffee makers and coffee pots equipped with automatic shut offs and micro-fridges are the only food appliances allowed in residential rooms. Appliances that generate heat for the purposes of cooking such as InstaPots, rice cookers, toasters, toaster ovens, etc., are not permitted in residence hall rooms.
 - b. In spaces with a private kitchen: Microwaves and small appliances with an automatic shut off and no exposed heating element are allowed. Appliances should always be kept clean and should be unplugged when not actively being used. Only one small appliance can be used at a time, to avoid overloading circuits.
3. Micro-fridge units (refrigerator/microwave combination) that operate under a single power cord directly attached to the unit are permitted in residence halls. Students are limited to one micro-fridge or mini fridge per resident of the room.
 - a. Refrigerators and micro-fridges must be adequately ventilated, 5.0 cu. ft. or less in size, and plugged directly into a wall socket. Standalone microwave units are not permitted in standard residence hall rooms, only spaces with a private kitchen.
4. According to New York State fire codes, extension cords and plug adapters are prohibited in residence hall rooms and apartments. Only UL-approved, multi-plug power strips that are equipped with a surge protector, a grounded, three-prong plug, and 12- or 14-gauge wire cord can be used.
 - a. Plugging a power strip of any type into another ("piggy-backing") is prohibited.
 - b. Power strips should not be plugged into the provided power strips on the desk.
5. Electric blankets, space heaters, and sun or heat lamps are prohibited.
6. The electrical amplification of a musical instrument (as well as the use of drums) is prohibited in all residence halls. These may be stored, but not played.
7. Halogen lamps are not permitted.
8. Air conditioners are not permitted, unless approved as an accommodation through Perrella Health Center. Air conditioners must be plugged directly into a wall socket.
9. The use of personal wireless routers is prohibited.
10. Any appliance not mentioned above may be removed by a Residential Life staff member as deemed necessary for safety reasons.

Smoking

Smoking, including the use of e-cigarettes, and vaping is not permitted in any building on campus.

For more information on the Hartwick College Smoking Policy, please refer to the Code of Community Standards.

Furniture

- All fixed furnishings and accessories, such as built-in closets and storage units, lights, and other permanent structures, may not be removed or altered by residents.
- All furniture (bed, mattress, desk, chair, wardrobes, and dressers) that is in the room at the time of check-in must remain in the room. There is no room for storage of furniture removed from student rooms.
- Students may not use the common area, kitchen, or lounge furniture for their personal rooms.
- Beds in the student's rooms may be bunked by the students. Lofting is not permitted.
- Any violation of these policies may result in community standards action and/or restitution.

Over-Door Hanging Items

Due to the small spacing between doors and door frames, over-the-door style items are not permitted. These items can cause the door to jam and restrict access and egress. Items include but are not limited to: mirrors, apparel hooks, and storage.

Decorations

- Offensive material on doors, windows, whiteboards or otherwise displayed publicly is not permitted. This will be determined at the discretion of the Residential Life Staff.
- Door surfaces cannot be covered with contact, construction, or tissue papers or any flammable materials. Door painting is not permitted. Only whiteboards and name tags are permitted (one per resident).
- Fire safety equipment must not be obstructed or otherwise tampered with.
- Students are not permitted to panel, barn-side, paint, wallpaper or otherwise place material on their room walls beyond what is allowed by State Fire code. This includes cardboard boxes.
- No shelving or other construction is permitted unless it is free-standing.
- No holes may be made in the walls, ceiling, windows, or door frame.
- No bars are permitted to be installed in any on-campus housing unit.
- State fire codes require that only 20% of the wall space can be covered with posters or pictures, for fire safety. Only paper-made posters, pictures, or decorations may be placed on the walls of the residence hall rooms. Dream catchers are permitted.
- Any fabric decorations (flags, jerseys, tapestries, etc.) must be sealed inside of a frame.

- Rooms and Halls with Block Walls – Students wishing to decorate walls may use regular scotch tape only. Double stick tape, duct tape, electrician's tape, masking tape and other brands of tape are extremely difficult to remove and may cause peeling and cracking. Students will be billed for this type of adhesive removal and wall/ceiling repair.
- Rooms and Halls with Plaster/Sheetrock Walls – Students wishing to decorate walls may use thumbtacks only. Nails or tape of any kind should not be used. When removing tacks, they should be twisted to minimize damage to the walls. Students using nails or tape on sheetrock walls will be billed for plastering and painting.
- Open Windows: Throwing, dropping, hanging, passing objects through, or entering or exiting a building by an open window is strictly prohibited.
- String lights, including battery operated, are permitted. However, they may not be “piggy backed” or plugged one into another; each string light must be plugged into an outlet directly. String lights should not be left on and unattended. LED lights with adhesive backing should not be used with the adhesive provided with the lights as this will cause damage to walls and ceilings. They are permitted without the adhesive being used.
- Only surge protected power strips (with a visible reset button) can be used for additional outlets. Extension cords and outlet expansion units are not permitted.
- “Piggy-backing” or plugging one power strip into another is not permitted.
- Curtains are not permitted in the Residence Halls. Window blinds are provided for each room window.
- Any violation of these policies may result in Community Standards action and/or restitution.

Quiet Hours

Quiet hours for all residence halls are Sunday to Thursday, 9:00 p.m. to 7:00 a.m., and Friday to Saturday, midnight to 9:00 a.m. During finals week, all residents must observe 24-hour quiet hours to encourage an environment conducive to learning. The 24-hour quiet hour period will begin at 9 PM on the last day of class for the semester (typically a Friday).

Quiet hours shall be characterized by the following conditions:

- Whenever sound is being generated within a room, whether by stereo, television, conversation, or other means or devices, the door to that room shall be closed. Equipment that produces bass should be placed on a soft surface to eliminate vibrations through the floor and walls.
- Any sound being generated from within a room shall be held down to such levels that with the room door closed the sound may not be heard by fellow residents in their rooms with their room doors closed, nor shall that sound reach such levels as to be a nuisance to occupants of adjoining rooms.
- Creation of noise disturbances in the corridors, bathrooms, lounges, and other public areas (i.e., loud conversations, yelling, slamming doors, rowdy behavior) is unacceptable.

Courtesy Hours

Courtesy Hours are to be adhered to during all other times not specified for Quiet Hours

Sound levels are, at all times, to be kept at a minimum. And at no time reach an unreasonable level that will disturb roommates, other residents, or members of the community.

Residents should always comply with requests from their neighbors to cease bothersome noise or activity.

Hall Sports

Sports and physical games are not allowed in the residence halls; this includes common areas and individual student rooms. Balls, pucks, bats, and other sporting equipment may do serious damage to walls, ceilings, and floors and may cause a noise disruption to other students. People who need to walk down the hall should not worry about getting hit or hurt while walking in a public space. Any damage that occurs will be charged to the resident responsible.

Animals

Animals, with the exception of fish contained in a fishbowl and animals that provide assistance, are not permitted in campus buildings except as permitted by law. This excludes approved service and/or emotional support animals:

- Fish that are kept in containers that do not require a filter, heater, or light are permitted in residence halls.
- Service Animal: A service animal is one that has received significant training (18 months to three years of training) to perform specific tasks to assist those that cannot do so for themselves (Guiding Eye dogs), and is entitled to open access except in private homes. Any place which is open to the public is to allow a service animal (with the exception of churches and Indian reservations as they are considered sovereign nations). Only dogs and miniature horses can be service animals.
- Emotional Support Animal: Emotional Support Animals are only allowed in housing, and cannot be brought to class or other restricted areas.

* Documentation and approval of an Emotional Support Animal must be completed by the Director of AccessAbility Services.

* If pets are on campus grounds, they should be leashed at all times. Pet waste should be disposed of immediately and in appropriate refuse receptacles.

Any damage or excess cleaning that is the result of an animal is the responsibility of the student.

Recycling and Trash

All garbage must be removed, by the student, to the garbage side of the dumpster outside of each residence hall.

All recyclable material must be removed, by the student, to the recycling side of the dumpster, located at each residence hall. Items to be recycled include:

- cardboard
- cereal boxes
- juice boxes
- shoe boxes
- tissue boxes
- paper egg cartons
- dry food cartons
- paper
- newspapers
- junk mail
- envelopes
- magazines and inserts
- plastic containers, numbers 1-7
- glass, bottles, and containers (any color)
- Metal, aluminum cans, foil, food and beverage cans (labels are recyclable materials)

Under no circumstances should any personal garbage or recyclable materials be discarded in lounges, kitchens, or bathrooms in the residence halls. Students who fail to remove personal garbage from the building may be documented and held accountable through the Office of Student Conduct.

Safety and Security of the Residence Halls

The safety and security of all Hartwick College students is of utmost importance to all of us in the Office of Residential Life and Housing. For everyone's safety, students are expected to adhere to the following policies:

- Students may not prop open doors to residence hall buildings.
- No one is permitted on the roof of any building on campus at any time.
- Sitting in or hanging out of or entering/exiting the building through open residence hall windows is not permitted.
- Activities producing odors considered offensive to members of the residence hall community must be curtailed upon request.
- Sport activities are not permitted in common areas (lounges, hallways, bathrooms, stairwells, laundry rooms) of the residence halls.
- Doorbell cameras are not permitted on residence hall doors unless necessary for an accommodation.

Guest and Visitation Policy

A residence hall guest – is any person not affiliated with Hartwick College who is staying overnight. A guest must have a host who is a member of the College community residing in a residence hall.

A residence hall visitor – is any Hartwick College Student not assigned to the room in which they are staying overnight.

In order to ensure safety and security:

- All overnight guests and visitors must be registered with Campus Safety upon arrival on campus.
- All Hartwick student visitors in other halls must carry and present their WICKit Card upon request.
- Visitors and guests must have proper photo identification and be prepared to produce it upon request.
- The ultimate responsibility for such registration and compliance with all College policies lies with the host.
- All guests must be at least 18 years old with the exception of College-recruited visitors.
- Students may not have more than two guests at the same time.
- Students should respect their roommate/suitemates when hosting visitors and guests.
- Any guest parking a motor vehicle on the campus overnight must obtain a Temporary Guest Parking Permit from the Office of Campus Safety.
- Individual guests may be hosted in Hartwick College housing no more than three nights total in any month, whether with the same host or different hosts.
- No guests are permitted during exam periods, the week preceding an exam period, or during any College recess.
- Sleeping in student lounges and other public spaces is prohibited.
- Any Hartwick College Student on leave may not visit unless special permission is granted by The Office of Residential Life and Housing.
- Any violation of the guest policy may result in Community Standards action.

Under no circumstances may a student on a leave of absence or suspended from the College reside in on-campus facilities. Should a suspended student or student on leave need to conduct official College business, they must receive prior written approval and visit during normal business hours (Monday to Friday, 9:00 a.m. to 5:00 p.m.).

College-Recruited Visitors

Offices wishing to have college recruits stay on campus must adhere to the following policies:

- The Office of Residential Life and Housing must be notified at least 24 hours in advance of any individual visitors (up to four at any one time) planning to stay overnight in the residence halls. The office coordinating this visit will send the name of the visitor(s), the name of the host(s), the room number, and residence hall to the Office of Residential Life

and Housing and the Office of Campus Safety not less than 24 hours in advance of the visit.

- The Office of Residential Life and Housing must be notified one week in advance of any group (a group is defined as five or more visitors at once) planning to stay overnight in the residence halls.
- Coordinating offices hosting groups of five or more must provide the Office of Residential Life and Housing, Office of Campus Safety, Perrella Health Center, and switchboard with a list of names of all visitors, the names of each host, and identify the residence hall and rooms they will be occupying at least 24 hours before their visit to the campus.
- Groups of 20 or more guests will not be scheduled for overnight visits on campus in residence facilities.
- The Office of Residential Life and Housing will provide the Crisis Intervention Team with rosters of guests and hosts. The Crisis Intervention Team includes representatives from health services, residential life, campus safety, and switchboard.
- Coordinating offices will have minor (under 18) visitors and their parents (when present) sign the Overnight Guest Policy Form that informs them of the College's emergency medical procedures and requests they provide the College with any emergency medical information necessary for treatment.
- There will be three groups of hosts on campus; each will be highly selective. The Admissions Department, Athletics Department, and Student Experience division will each set criteria that guides them in selecting a highly responsible group of students who will act as hosts throughout the year. Other departments wishing to schedule groups or individual visitors into residence facilities for the purpose of recruitment must use these student hosts.
- Hosts will be trained by Student Experience staff as to their responsibilities. These will include (but are not limited to) adhering, and ensuring that visitors for whom they are responsible adhere, to all College policies, and local, state and federal laws. Student hosts who violate this policy will be subject to removal from the approved host list and/or disciplinary action. Hosts should get permission from their roommates prior to agreeing to host recruited visitors.
- The Office of Admissions and Athletics Office will notify all appropriate officials of any last-minute changes in host or visitor assignments as they occur.
- Organizations having overnight guests with special needs (guide dogs, etc.) must register these special needs with the Office of Residential Life and Housing at least three weeks prior to the visit.
- If there is a change in guests, hosts, room assignments, size of group, etc., it is the responsibility of the coordinating office to notify the Office of Residential Life and Housing prior to the arrival of guests.

- The Office of Residential Life and Housing reserves the right to deny these visitations on the basis of safety or security or if the organizing group has not followed appropriate procedures.

Keys

Students will receive and sign for their room key(s) at check-in. Room key(s) will open the door to the room, suite, apartment, and/or townhouse that a student was assigned to. It is imperative that a student moves into the space that they were assigned. By signing for a room key, students are agreeing to always lock their room, suite, apartment, and/or townhouse doors when they are not there – even for a short period of time. This helps ensure the safety of our residents and their personal property. Students should keep their room key in their possession at all times to prevent being locked out.

Lost Keys

If a student loses a key or it has been stolen, they should immediately inform their Resident Advisor (RA) or a Residential Life professional staff member and go to the Residential Life and Housing Office during the next business day for a replacement key. Students may also request to have the door core changed. Students will be billed \$50 for a replacement key and \$25 for a core change.\

Lockout Procedures

A student locked out of their room should:

- If it is between the hours of 8:00 a.m. and midnight, students should first try to contact residential life staff to request entry into their room. If the student is unable to contact a residential life staff member, then the switchboard should be contacted to request assistance from Campus Safety.
- If it is between the hours of midnight and 8:00 a.m. students must contact the Dispatch Desk, at (607) 431-4000, to request assistance from Campus Safety.
- The response by Campus Safety will be subject to other responsibilities that campus safety staff may have at that time. Students must give their name and show their College ID to the campus safety officer when their rooms are being unlocked.

Card Access

The Card Access System controls entry to our Residence Halls 24 hours a day. Exit doors are locked at all times to prevent non-residents from entering, but are never locked from the inside.

To enter your Residence Hall, you simply need to swipe or tap your Hartwick College WICKit ID Card through the card reader mounted by the door. If you have access privileges for that building, you will gain immediate entry. According to Hartwick College policy, you should carry your Hartwick College WICKit ID Card at all times. If your ID card doesn't grant you access,

contact the Office of Residential Life and Housing. If you lose your WICKit you will need to purchase a new one in the Technology Resource Center (TRC) in Clark Hall.

The Hartwick College Residence Halls are open to all currently registered students from 8:00 a.m. to 8:00 p.m. From 8:00 p.m. to 8:00 a.m. only students who reside in the residence hall will have access to that building through the main entrance. All other card swipe entry points are locked from use from 8:00 p.m. to 8:00 a.m.

An alarm will activate if you attempt to gain entry with an invalid card, force or prop a door open, or tamper with components of the system. A “horn” will also sound if an exit door is propped or forced.

Tampering with or vandalizing Card Access equipment is a very serious offense. If you notice damage, or see someone vandalizing the equipment, immediately contact the Office of Campus Safety.

Students who prop open entrance doors, disable locking mechanisms, or by any means allow non-residents access to a residence hall other than as their guest compromise the effectiveness of the security system. Any of these acts will result in judicial action.

Theft and Damage

The College is not responsible for personal property lost, stolen, or damaged. It is advisable to protect your belongings with insurance through your family homeowner’s policy or individual renter’s insurance policy. Students should note that most burglary insurance is collectible only when access to a room is by forcible entry, but most thefts occur from rooms that are left unlocked by residents.

If a theft, or suspicion of one, should occur, it is important to immediately report it to Campus Safety. Reporting the loss to Campus Safety may be necessary if you will be making a claim for the article with your insurance company.

If an item is reported stolen and is later recovered, Campus Safety should be notified of its recovery.

Billing

During spring semester, students will receive information regarding check-out procedures (including how to avoid end-of-year cleanup charges). The College will bill students for personal furniture removal, damages, and excessive cleanup. These charges will be applied to the end of year bill.

Appeals of end of year damage assessments may be made, in writing, to the Director of Residential Life and Community Standards by the date advertised. Failure to appeal within this period forfeits all rights for future appeal.

Room Damages

Each student will be held responsible for any damage she or he causes. An occupant of a residence hall is responsible for all damage to their room. “Room” refers to the interior (walls, ceiling, and floor) all furnishings (including built-in dressers and closets), door locks, windows, and doors. Damage to property during the year can result in charges for damage and/or disciplinary action.

Common Areas

In common areas (these may include, but are not limited to, lounges, hallways, laundry rooms, kitchens, restrooms, etc.) when individual responsibility can be determined, the charges will be made to the responsible individual(s). Students are not billed for items that have been affected by normal wear and tear. Incidents involving deliberate damage may also be subject to disciplinary action.

In common areas (these may include, but are not limited to, lounges, hallways, laundry rooms, kitchens, restrooms, etc.), when individual responsibility for damage cannot be determined, staff will investigate and attempt to identify person(s) responsible. Students, as members of their residence hall community, are encouraged to report damage and provide information to aid in appropriate identification of person(s) responsible. After a thorough investigation, if individual responsibility cannot be determined, the charges will be assessed to hall residents on a prorated basis.

In the event of breakage or damage in a student room or common areas in a residence hall, the Supervisor of Custodial Services will make arrangements for the necessary repairs and report the cost to the Director of Residential Life and Community Standards for billing.

Outside Fines or Charges

If the college is charged or fined due to a student’s actions, that cost will be passed on to the student if the student(s) can be identified.

Dining Policies*Board (Meal Plan Requirements)*

All students living in College residence halls are required to purchase a meal plan.

Changes to the Fall Meal Plan must be made by Friday of the first week of classes of the fall term, and changes to the Spring Meal Plan must be made by the last day of classes of the fall term.

Exemptions from the board requirement may be authorized by the Director of Residential Life and Community Standards, after consultation with the Director of Dining Services and/or the

Director of the Wellness Center. Exemptions may require that the student move off campus because of the lack of cooking facilities in the residence halls.

Commons

Students must present their WICKit each time they enter The Commons. Admittance to The Commons as a boarding student is restricted to the individual identified on a photo Hartwick College WICKit. The use of a WICKit card by anyone other than its owner or other unauthorized access to The Commons is considered theft of service and is a violation of Hartwick College Code of Student Conduct. If you lose your Hartwick College ID card, please go to the Technology Resource Center (TRC) in Clark Hall to receive a new one. There is a replacement charge of \$16.25.

Guests of boarding students are welcome to any regular meals served in The Commons upon payment to the cashier.

Shirts and shoes are required at all times. Inappropriate conduct or behavior deemed offensive should be brought to the attention of The Commons manager and may result in ejection and/or Student Conduct action.

Technology Acceptable Use Policies:

Accepting access to these technology resources carries an associated expectation of responsible and appropriate use. Violating the Hartwick User Responsibility and Appropriate Use Policy:

d. Authorized Access/Accounts

- i. Attempting to obtain unauthorized access or circumventing user authentication or security of any host, network, or account (“cracking”). This includes accessing data not intended for the user, logging into a server or account which you are not expressly authorized to access, or probing the security of systems or networks.
- ii. Supplying or attempting to supply false or misleading information or identification in order to access Hartwick’s technology resources.
- iii. Sharing your passwords or authorization codes with others (computing, email, voicemail, long distance code, etc.)
- iv. Using technology resources of unauthorized uses.
- v. Logging onto another user’s account; sending email, voicemail, etc. from another individual’s account or from an anonymous account.
- vi. Unauthorized use of the College’s registered Internet domain name(s).
- vii. Using another person’s telephone authorization code, line, calling card, or network system access for chargeable services.
- viii. Using voice services to incur charges for collect or third-party calls which are billed to the College and not to your direct line.

- ix. Changing your Hartwick College issued machine name to a name that is different from that assigned by the Technology Resource Center without authorization.
- x. Connecting computers or other devices to the College network that have not been registered with, or approved by, the Technology Resource Center.

e. Services

- i. Attempting to interfere with service to any user, host, or network. This includes “denial of service” attacks, “flooding” of networks, deliberate attempts to overload a service, port scans, and attempts to “crash” a host.
- ii. Use of any kind of program/script/command designed to interfere with a user’s computer or network session or collect, use, or distribute another user’s personal information (spyware).
- iii. Damaging a computer or part of a computer or networking or telecommunications system.
- iv. Knowingly spreading computer viruses.
- v. Modifying the software or hardware configuration of College technology resources, including dismantling computer in the lab for the purposes of connecting a notebook computer to the peripherals.
- vi. Excessive use of technology resources for frivolous purposes, such as game playing or downloading of media files. This causes congestion of the network and may otherwise interfere with the work of others, especially those wanting to use public access computers or network and Internet resources.
- vii. Violating copyright laws.
- viii. “Hacking” on computing and networking systems.
- ix. Using College technology resources (networks, central computing systems, public access systems, voice and video systems) for new technologies research and development without College review and authorization.
- x. Failure to follow the College’s guidelines for use and/or deployment of wireless access points (WAPs).

f. Software, Data, and Information

- i. Inspecting, modifying, distributing, or copying software or data without proper authorization, or attempting to do so.
- ii. Violating software licensing provisions.
- iii. Installing software on public access and other College machines without appropriate authorization from the Technology Resource Center or the department to which the machine belongs.
- iv. Installing an diagnostic, analyzer, “sniffer”, keystroke/data capture software or devices on College technology resources.

- v. Breaching confidentiality agreements for software and applications; breaching confidentiality provisions for institutional or individual information.
- g. *Email/Internet Messaging/Voicemail/Voice Services*
 - i. Harassment or annoyance of others, whether through language, frequency or size of messages, or number and frequency of telephone calls.
 - ii. Sending email or voicemail to any person who does not wish to receive it, or with whom you have no legitimate reason to communicate. If a recipient asks to stop receiving mail from you, you must not send that person any further mail.
 - iii. Sending unsolicited bulk mail messages (“junk mail” or “spam”) which, in the College’s judgment, is disruptive to system resources or generates a significant number of user complaints. This includes bulk mailing of commercial advertising, informational announcements, political tracts, or other inappropriate use of system email distribution lists. Forwarding or otherwise propagating chain email and voicemail and pyramid schemes, whether or not the recipients wish to receive such mailings. This includes chain email for charitable or socially responsible causes.
 - iv. Malicious email or voicemail, such as “mailbombing” or flooding a user or site with very large or numerous items of email or voicemail.
 - v. Forging of email header or voicemail envelope information.
 - vi. Forging email from another’s account.
 - vii. Sending malicious, harassing, or otherwise inappropriate voicemail from another’s voice line.
 - viii. Collecting replies to messages sent from another institution, organization, or Internet Service Provider where those messages violate the Appropriate Use Policy or the Appropriate Use Policy of that other provider.
- h. *College-hosted Web Pages, Blogs, Wikis, and Servers*
 - i. Posting content on your webpage, blog, or wiki that provides information on and encourages illegal activity, or is harassing or defaming to others.
 - ii. Linking your web page, blog, or wiki to sites whose content violates College policies, and/or local, state, or federal laws and regulations.
 - iii. Running websites, blogs, or wikis that support commercial activities or running server systems under the College’s registered domain name, HARTWICK.EDU or a variation thereof, without the College’s authorization.
- i. *College Bulletin and Discussion Boards*
 - i. Posting a message whose subject or content is considered unrelated to the subject matter of the bulletin or discussion board to which it is posted. For moderated listservs, the decision as to whether a post is unrelated will be

made by the moderator. For discussion boards that are not moderated, we employ the practice of “self-policing”-that is, members serve as moderators, commenting (to the sender, to the list) about inappropriate posts.

- ii. Posting chain letters of any type.
- iii. Forging header information on posts to College bulletin or discussion boards.

[Sexual Misconduct and Title IX Policies](#)

[Discrimination and Harassment Policy](#)

[Political Activity Policy](#)

[Peaceful Assembly Policy](#)

SECTION 5: THE COMMUNITY STANDARDS PROCESS

I. General Provisions

- A. Authority.** The Office of Student Experience is vested with the authority over student conduct by the President of the College. The Director of Residential Life and Community Standards or designee is responsible to oversee and manage the community standards process and has discretionary authority to interpret and construe any uncertain or disputed aspects of the process. The DRLCS or designee may appoint members of the community, as deemed necessary, in order to efficiently and effectively assist in the administration of the community standards process. The DRLCS or designee will assume responsibility for the investigation of all allegations of misconduct to determine if the complaint of misconduct has merit.
- B. Hartwick as Convener.** Hartwick is convener of every action adjudicated pursuant to Hartwick's Code. The responding student, group, or organization is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, guest, or the College may choose to be present and participate in the process as fully as the responding student, group, or organization. If there are witnesses, who may offer information regarding the allegation, as well as others who may be identified through the investigation may also participate in the process. An investigator will present the allegations and share the evidence that Hartwick has obtained regarding the allegations.
- C. Standard of Proof.** The standard of proof in the community standards process at Hartwick is based on a preponderance of the evidence. A preponderance of the evidence is defined as "is it more likely than not" that a violation occurred.
- D. Procedural Advisors.** Throughout the community standards process, students are permitted to identify a Procedural Advisor to assist them. Procedural Advisors may assist students in all meetings during the community standards process. A Procedural Advisor can be any member of the College community (faculty, staff, student). Procedural Advisors cannot be an attorney, a parent, or a legal guardian. A Procedural Advisor can help in preparation before the hearing. Additionally, advisors are able to communicate quietly and through written notes during the

hearing; however, they are not permitted to speak formally during the hearing. Even if accompanied by a procedural advisor, the parties, and not the procedural advisor, must respond to inquiries from the presiding hearing officer and the hearing board. The College may remove or dismiss a procedural advisor who becomes disruptive or who does not abide by the restrictions on their participations, as deemed by the College official conducting the hearing. Procedural Advisors who have not gone through training must meet with a member of the Community Standards team prior to the hearing process.

1. If a student does not have someone they know who can serve as their Procedural Advisor, they may request a Procedural Advisor at which time the DRLCS or designee will produce a list of trained Procedural Advisors they can select from. Typically, when a Procedural Advisor is provided by the Community Standards office, they will be someone who is not already directly or indirectly, when possible, involved with the case.

E. Maxient as Community Standards Database and Communication Tool.

Maxient Conduct Manager has been procured for use at Hartwick College to provide a web-based program used to track student conduct records and facilitate communications for students related to the community standards process and procedures. Any electronic communication sent from Maxient to a student, should be viewed as official College communication and opened, read, and follow up on.

F. Group Violations. A student group or organization and its officers and membership may be held collectively and/or individually responsible when violations of this Code by the organization or its member(s). During a community standards meeting for a student, group, or organization, individual determinations as to responsibility will be made and Educational Outcomes may be assigned collectively and/or individually and will be proportionate to the involvement of each individual and the organization. For purposes of this Section of the Code, all references to a “responding student,” unless specifically stated otherwise, reference any student with charges for a policy violation and shall also refer to Hartwick student groups and organizations. Examples of how student organizations may be held accountable are:

1. Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit;
2. Have received the consent or encouragement of the organization or of the organization’s leaders or officers; or
3. Were otherwise reasonably foreseeable to the membership or its officers, and the membership or officers failed to take reasonable steps to prevent the violation(s).

G. Amnesty

1. **For Victims.** Hartwick provides amnesty to victims who may be hesitant to report to Hartwick officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident.
2. **For Those Who Offer Assistance.** To encourage students to offer help and assistance to others, Hartwick pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the DRLCS or designee, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Students providing assistance should stay with the situation and make contact with appropriate authorities for assistance (Campus Safety, Residential Life and Housing staff, EMS), and fully cooperate with personnel through the situation and any ensuing investigation or conduct process.
3. **For Those Who Report Serious Violations.** Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of Hartwick are offered amnesty for their minor violations. Abuse of amnesty requests can result in a decision by the DRLCS or designee not to extend amnesty to the same person repeatedly.
4. **Safe Harbor.** Hartwick has a Safe Harbor rule for students. Hartwick believes that students who have a drug and/or addiction problem deserve help. If any Hartwick student brings their own use, addiction, or dependency to the attention of Hartwick officials outside the threat of drug tests or Educational Outcomes through the community standards process and seeks and completes assistance, a community standards complaint is likely not to be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student, and appropriate waivers may be sought to verify follow through of the action plan. Failure to follow the action plan will nullify the Safe Harbor protection and community standards processes will be initiated.

II. Reporting of Alleged Violations

- A. Any member of the Hartwick community, visitors, or guests may allege a policy violation(s) by any student, group, or organization for misconduct under this Code

by reporting the alleged conduct to Campus Safety, the DRLCS or designee and/or to the Title IX Coordinator when appropriate and/or through Hartwick's Silent Witness Program, which you may do so by clicking on the following link:
https://cm.maxient.com/reportingform.php?HartwickCollege&layout_id=4

- B. Any victim or third party may allege a policy violation(s) by any student, group, or organization for misconduct under this Code by reporting the alleged conduct to Campus Safety, the DRLCS or designee and/or to the Title IX Coordinator when appropriate and/or through Hartwick's Silent Witness Program, which you may do so by clicking on the following link:
https://cm.maxient.com/reportingform.php?HartwickCollege&layout_id=4
- C. All allegations should be submitted as soon as possible after the offending event occurs.
- D. Hartwick has the right to pursue an allegation or notice of misconduct on its own behalf and serve as convener of the subsequent community standards process.

III. Notice of An Alleged Violation

- A. Once notice is received from any source (victim, incident report, third party, online, etc.) of an alleged violation of the Code by any student, group, or organization, Hartwick shall notify such student, group, or organization of the allegations at issue as appropriate.

IV. Interim Action

- A. Under the Code, the DRLCS or designee may impose restrictions and/or separate a student, group, or organization from the community pending the completion of its investigation, or if the investigation is complete, the community standards process, if Hartwick has a reasonable basis to believe that the student, group, or organization represents a threat of harm to self or others, is facing allegations of criminal activity, to preserve the integrity of an investigation, to preserve Hartwick property and/or to prevent disruption of, or interference with, the normal operations of Hartwick.
- B. Interim actions can include separation from Hartwick or restrictions on participation in the community pending the scheduling of a campus hearing on alleged violation(s) of the Code.

- C. A student, group, or organization who receives an interim suspension may request a meeting with the DLRCS or designee to demonstrate why they believe an interim suspension is not merited. Regardless of the outcome of this meeting, Hartwick may still proceed with the community standards process.

V. Threat Assessment

- A. The Dean of Students, DRLCS, Director of Campus Safety, or Title IX Coordinator may call together the Threat Assessment Team to review incidents that may result in interim separation from the campus. This team will consist of the Dean of Students, Director of Residential Life and Community Standards, the Title IX Coordinator (or Deputy), Director of Campus Safety, Clery Compliance Officer, a named member of the Counseling team, and other parties as needed (Registrar, Academic Affairs representatives, Athletic representatives, etc.).
- B. The team will assess removal based on the risk assessment tools pursuant to the emergency removal standards of the Title IX/Sexual Misconduct policy OR the NABITA risk assessment for alleged violations of the Code of Community Standards.
- C. This team will meet on an ad hoc basis and does not meet regularly. The team will attempt to meet within 12 hours of the incident.
- D. In consultation with the Clery Compliance Officer, a Timely Warning or Emergency Notification will be issued to the appropriate parties.

VI. Investigation

- A. The Director of Residential Life and Community Standards or designee will request an an investigator(s) from the Director of Campus Safety for all serious allegations of misconduct under this Code, including, but not limited to, physical violence, robbery/theft, discrimination, or sexual misconduct. The following steps will be taken, if not already completed:
 - 1. Initiate any necessary interim actions;
 - 2. Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a Hartwick proxy or representative;
 - 3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns, and the nature of the complaint;

- a) If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
 - b) Notify the victim of whether Hartwick intends to pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and options to become involved if they so choose;
 - c) Preliminary investigation usually takes between 1-7 business days to complete, however, in some cases, it may take longer;
4. If indicated by the preliminary investigation and authorized by the DRLCS or designee, conduct a comprehensive investigation to determine if there is a reasonable cause to believe that the responding student violated Hartwick policy, and determine what specific policy violations should serve as the basis for the complaint;
 - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
 - b) A comprehensive investigation usually takes between 2 weeks to 30 days;
 - (1) In some cases, a comprehensive investigation can take longer due to variables out of the College's reasonable control. Every effort will be made to conclude the process within 60 days.
5. Meet the complainant or party bringing the complaint to finalize their statement, which may be drawn up by the investigator as a result of this meeting;
6. Commence a thorough, reliable, and impartial investigation;
 - a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during, or after the responding student is interviewed, at the discretion of the DRLCS or designee;
7. Interview all relevant and available individuals, summarize the information;
8. Obtain all relevant documentary evidence and information that is available;
9. Obtain all relevant physical evidence that is available;
10. Complete the investigation promptly by analyzing all available evidence;
11. Present the investigation results and supporting evidence to the DRLCS or designee for review.

- B. Should the DRLCS or designee, following receipt of the investigative report, determine based upon a preponderance of the evidence that it is not more likely than not that policy violation has occurred, the inquiry into the complaint at issue will end and proper notification will be provided.
- C. Upon a determination by the DRLCS or designee, following a review of the investigative report, that it is more likely than not that a policy violation has occurred, the DRLCS or designee will notify the responding student and schedule a Community Standards Meeting with the responding student.

VII. Notice of Community Standards Meeting

- A. Upon a determination by the DRLCS or designee, following a review of the investigative report, that it is more likely than not that a policy violation has occurred, notice will be given to the responding student of their right to participate in a Community Standards Meeting with the DRLCS or designee.
- B. Notice will be in writing and may be delivered by one or more of the following methods: in person by the DRLCS or designee; mailed to the local or permanent address of the responding student as indicated in official Hartwick records; or email to the responding student's Hartwick issued email account via Maxient. Once mailed, emailed, and/or received in person, such notice will be presumptively delivered. The notice letter will:
 - 1. Include the alleged violation(s);
 - 2. Set forth the date and time of the Community Standards Meeting;
 - 3. Notify the responding student that at the Community Standards Meeting the DRLCS or designee will set for the basis for the College's charges;
 - 4. Notify the responding student that at the Community Standards meeting they will have the opportunity to discuss with the DRLCS or designee their version of the incident they were involved in;
 - 5. Advise the responding student that at the Community Standards Meeting, their case will be heard by an Administrative Hearing Officer and that the decision of that offer can be appealed to a Community Standards Hearing Board. Accordingly, prior to the Community Standards Meeting, the responding student, group, or organization will be advised to consult with those people they deem appropriate.

VIII. The Community Standards Meeting

- A. The purpose of the Community Standards Meeting is so the DRLCS or designee can explain to the responding student the nature and basis for the charges at issue and the community standards process.

- B. At the Community Standards Meeting, the responding student will have the ability to review the documentation available relating to the charges, be provided the opportunity to set forth the basis as to why they dispute the charges at issue (if applicable), and provide the DRLCS or designee any information believed to be relevant to the charges at issue.
- C. A student may not have or make a copy, create an image, or otherwise duplicate any documentation included as part of the student conduct record, however, a student may take handwritten notes.
- D. At the conclusion of the Community Standards Meeting, the Administrative Hearing Officer will notify the responding student of the outcome of the charges and Educational Outcomes for the matter in dispute. The student will then receive their outcome letter with the findings and the Educational Outcomes in their Hartwick email via Maxient. The student will then have the opportunity to appeal the outcome to a hearing board.
- E. To the extent the DRLCS or designee determines, based upon the information provided by the responding student during the Community Standards meeting, that Hartwick's original proposed charges may warrant modification, these modifications can be made during the Community Standards meeting if both parties agree.

IX. Hearing Bodies

- A. At Hartwick, hearing bodies consistent of three possible types: 1) Community Standards Meeting with an Administrative Hearing Officer, 2) Community Standards Hearing Board; or 3) SGA Judicial Board.
- B. The DRLCS or designee is responsible for identifying the appropriate type of hearing body to adjudicate any and all disputes.
 - 1. Community Standards Meeting with Administrative Hearing Officer**
 - a) All Community Standards Meetings are heard by Administrative Hearing Officers. Administrative Hearings Officers are professional staff members that work within Hartwick and receive specialized training. Students may appeal the educational outcomes of a Community Standards Meeting to a Community Standards Hearing Board. Any charges and allegations that may result in a responding student's separation from the college would automatically go to a Community Standards Hearing Board.
 - 2. Community Standards Hearing Board**
 - a) Used when a student is potentially at risk of separation from the college, as well as to hear in person appeals of Community Standards Meetings. The selection and training of these

Community Standards Hearing Board members is the responsibility of the DRLCS or designee. Three (3) members of the Board must be present to hold a hearing.

3. Student Government Association Judicial Board (SGA Judicial Board)

- a) Generally used when a responding student has low level charges that would not result in a status above Disciplinary Notice. The selection of the members of the SGA Judicial Board is the responsibility of the Student Government Association and is defined in Article III of the SGA Constitution. The SGA Judicial Board is composed of five Justices and one Chief Justice, one student from each class year (first year, sophomore year, junior year, and senior year students) and one student from three-year degree students. The training of these Justices with regards to the community standards process is the responsibility of the DRLCS or designee. All Justices have the opportunity to serve on a hearing board for active community standards cases and there must be three (3) Justices present to hold a hearing.

X. Requirements for Serving on a Hearing Body

- A. To serve on the *Community Standards Hearing Board*, the administrative, faculty, and/or staff member must:
 - 1. Participate in the mandatory training done by the DRLCS or designee.
 - 2. Develop a clear understanding of the Code of Community Standards.
 - 3. Become familiar with the procedure for handling a case.
 - 4. Make a collective, informed, unbiased decision for each hearing.
 - 5. Not participate in any case in which there may be a conflict of interest, a lack of impartiality or a perception of such.
- B. To serve on the *Student Government Association Judicial Board*, the student must:
 - 1. Be currently enrolled at Hartwick, in good academic standing, and have a cumulative GPA of at least 2.5.
 - 2. Have a record of good campus citizenship and be in good standing with the Office of Community Standards throughout the terms in which they serve.
 - a) Good standing is defined as having no record of misconduct during the term(s) in which a Justice wishes to serve on the Judicial Board.
 - b) Justices who are documented during the term(s) in which they are serving may be prohibited from participating in future hearings for

the duration of their term(s) based on a determination by the DRLCS.

3. Be available for the identified SGA Judicial Board meeting time as requested by the Office of Community Standards or the DRLCS or designee.
 4. Not serve as a Resident Advisor as this would be a clear conflict of interest.
 5. Participate in the mandatory training facilitated by the DRLCS or designee
 6. Develop a clear understanding of the Code of Community Standards.
 7. Become familiar with the procedure for handling a case.
 8. Make a collective, informed, unbiased decision for each hearing.
- C. The DRLCS or designee will have final authority to approve all those serving on any of the hearing bodies. The DRLCS or designee is responsible for training the panel. In the event someone resigns from a hearing body, the DRLCS or designee will solicit a replacement.
- D. All hearing bodies are provided the discretion to render any Educational Outcomes(s) deemed appropriate and are not bound by any prior proposal that may have been made by the DRLCS or designee.

XI. Community Standards Hearing Options and Preparation

- A. The DRLCS or designee has the ultimate discretion which hearing body will adjudicate the dispute at issue.
- B. Students subject to a Community Standards Meeting will be given a minimum of two (2) business days to prepare unless all parties wish to proceed more quickly.
- C. Students subject to a Community Standards Hearing Board will be given a minimum of five (5) business days to prepare unless all parties wish to proceed more quickly. Preparation for a hearing, regardless of which type of hearing body adjudicates the dispute, is summarized in the following guidelines:
 1. Notice of the time, date, and location of the hearing will be in writing and may be delivered by one or more of the following methods: in person by the DRLCS or designee; mailed to the local or permanent address of the student as indicated in official Hartwick records; or emailed to the student's Hartwick-issued email account via Maxient. Once mailed, emailed, and/or received in person, such notice will be presumptively delivered.
 2. If there is an alleged victim of the conduct in question, the alleged victim generally will not serve as the party bringing the complaint. Hartwick administration will generally serve as the party bringing the complaint

forward. Where there is no alleged victim or the victim chooses not to pursue, Hartwick administration will serve as the party bringing the complaint forward.

- D. At least four (4) business days before any scheduled hearing, the following will occur:
1. The *responding student* may choose to deliver to the DRLCS or designee a written response to the charges;
 2. The *responding student* will deliver to the DRLCS or designee a written list of all witnesses, with direct knowledge of the incident, for Hartwick to attempt to call at the hearing who are not identified in the initial incident documentation;
 3. The *responding student* will deliver to the DRLCS or designee all physical evidence that the student intends to use or needs to have present at the hearing that is not already in the College's possession and/or will indicate who has possession or custody of such evidence, if known, so that the DRLCS or designee can attempt to arrange for its presence;
 4. The *complainant* will deliver to the DRLCS or designee a written list of all witnesses, with direct knowledge of the incident, for Hartwick to attempt to call at the hearing who are not identified in the initial incident documentation;
 5. The *complainant* will deliver to the DRLCS or designee all items of physical evidence needed at the hearing that are not already in the College's possession and/or will indicate who has possession or custody of such evidence, if known, so that the DRLCS or designee can attempt to arrange for its presence;
 6. The *complainant* and *responding student* will notify the DRLCS or designee the name of their Procedural Advisor, if any, who may assist them in their preparation and the hearing process. Please note that the Procedural Advisor may not be affiliated or otherwise involved with the case under review.
- E. The name(s) of the panelists or hearing officer will be shared with the parties in advance of any hearing. If the parties have concerns with any panelist or hearing officer, the party must contact the DRLCS or designee and raise their concerns in writing. The DRLCS or designee will then determine if the panelist or hearing officer's potential bias precludes an impartial hearing and act accordingly.
- F. The DRLCS or designee will ensure that the hearing information and any other available written documentation is shared with the parties at least four (4) business days before any scheduled hearing.

XII. Community Standards Hearing Board Procedures

- A. In the case of a hearing adjudicated by either a Community Standards Hearing Board or SGA Judicial Board, the DRLCS or designee will appoint one panelist as the Chairperson for the hearing. The parties have the right to be present during their portion of the hearing; however, they do not have the right to be present during the other party's presentation, witness testimony to the hearing body, or deliberation. If either the complainant or responding student cannot attend the hearing, it is that student's responsibility to notify the DRLCS or designee as identified no less than three (3) business days prior to the scheduled hearing. Except in cases of grave or unforeseen circumstances, which will be considered by the DRLCS or designee in advance, if the student, group, or organization fails to give the requisite minimum three (3) business day notice, or if the student, group, or organization fails to appear, the hearing will proceed as scheduled and a determination will be made *in absentia* utilizing the information including in the hearing documentation and information/testimony from others at the hearing. Hartwick also reserves the right to drop the charges, as determined by the DRLCS or designee.
- B. All hearings, regardless of the specific hearing body, will be conducted according to the following guidelines:
1. Hearings will be closed to the public.
 2. Admission to the hearing of persons other than the parties involved will be at the discretion of the DRLCS or designee.
 - a) The parties involved are considered to include, but are not limited to, the following: the hearing body membership, the complainant and/or respondent, their procedural advisor, other involved parties, any identified witness(es) and the DRLCS or designee.
 3. In hearings involving more than one responding student, the standard procedure will be to hear the case jointly if permitted by applicable law; however, the DRLCS or designee may permit the hearing related to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student, group, or organization.
 4. In a hearing involving more than one complainant, the standard procedure will be to hear each complaint separately; however the DRLCS or designee may permit this to be combined into one case if permitted by applicable law.
 5. The parties have the right to a Procedural Advisor of their own choosing. Please note that the Procedural Advisor may not be affiliated or otherwise involved with the case under review. Once the case is concluded, the role of the procedural advisor is also concluded.

6. The hearing body will have the ability to question all present witnesses and question all present parties. Unduly repetitive witnesses can be limited at the discretion of the Chairperson and/or the DRLCS or designee. It should be noted that the hearing body is the only party permitted to ask questions of those directly involved. A complainant or responding student does not have the privilege to question the other party or witnesses during a College hearing process.
 7. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the hearing body. Formal rules of evidence are not observed. The hearing body may limit the number of witnesses presented or may accept written affidavits instead. Character witnesses and/or character witness statements are not considered relevant.
 8. All procedural questions are directed to the DRCLS or designee and subject to their final decision.
 9. After a hearing is completed, a determination will be made based on a preponderance of the evidence standard whether the responding student has violated the Code. In the case of a hearing conducted by the Community Standards Hearing Board or SGA Judicial Board, majority vote will govern.
 10. There will be a single verbatim record, such as an audio recording, for all hearings. Deliberations will not be recorded. The record will be the property of Hartwick and maintained according to Hartwick's record retention policy. Students may not make personal recordings of any nature.
- C. The DRLCS or designee will be present and available as a resource during deliberations. Once a finding is determined, if the finding is that of a policy violation, the hearing body will determine an appropriate Educational Outcome(s). The DRLCS or designee is responsible for informing the hearing body of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student.
- D. The hearing body will prepare a written report via a Maxient form and deliver it to the DRLCS or designee, detailing their findings, the information cited by the panel in support of its recommendation, and any information the panel excluded from its consideration and why. This report should conclude with the Education Outcome(s), if applicable.
- E. The DRLCS or designee will review the recommendations of the panel to ensure that the outcomes are proportionate to the offense and are consistent with practice. The DRLCS or designee may make appropriate modifications to the panel's decision if/when it is determined that the outcomes are disproportionate and/or not consistent with previously established precedent. In this case, the DRLCS or

designee would provide a written report detailing the justification for the modification, as permitted by law and Hartwick policy.

- F. The DRLCS or designee will then provide the decision letter and inform the responding student, group, or organization and party bringing the complaint (if permitted by law and Hartwick policy) of the final determination. Notification will be made in writing may be delivered by one or more of the following methods: in person by the DRLCS or designee, or mailed to the local or permanent address of the student as indicated in official Hartwick records; or email to the student's Hartwick-issued email account via Maxient. Once mailed, emailed, and/or received in person, such notice will be presumptively delivered.

XIII. *In Absentia* Decisions

- A. While it is the intention of the Office of Community Standards to engage with students in a developmental process, it is a student's right to not engage in the process, if they so choose. In such cases, the case will be automatically referred to an appropriate hearing body and the case will be adjudicated *in absentia*. Any subsequent findings and assigned outcomes will be communicated to the student through the Maxient system, and in cases where outcomes are assigned, the student will be responsible for them, although they may utilize the appeals process if warranted.
- B. In cases in which a student does not attend their Community Standards Meeting without providing at least 24 hours' prior notice, the meeting will be rescheduled. If the student does not attend this second scheduled meeting without providing 24 hours' notice, the case will then be adjudicated *in absentia* as described above.
- C. Except in cases of grave or unforeseen circumstances, Community Standards Hearing Board/SGA Judicial Board meetings will not be rescheduled unless the student submits a request for rescheduling no less than 3 days (72 hours) in advance. If a student fails to attend a Community Standards Hearing Board/SGA Judicial Board meetings without providing the aforementioned notice, the hearing will proceed *in absentia* as noted above.
- D. The DRLSC or designee reserves the right to to determine on a case-by-case basis whether a student's circumstances warrant the rescheduling of any meeting or process without the requisite advance notice.

SECTION 6: COMMUNITY STANDARDS STATUS & EDUCATIONAL OUTCOMES

I. Community Standards Status and Educational Outcomes

- A. Students found responsible for violations of the Code of Community Standards will be assigned a Community Standards status as well as one or more of the following Educational Outcomes.
- B. Community Standards status and Educational Outcomes will be based on a consideration of all of the circumstances, including, but not limited to:
 - 1. The nature and severity of the conduct; and
 - 2. The Responding Student's student conduct history; and
 - 3. Any other information deemed relevant to the hearing body.

II. Community Standards Status

- A. **Written Warning.** An official written notice that the student has violated Hartwick policies and/or rules and that more severe community standards action will result should the student be involved in other violations while the student is enrolled at Hartwick.
- B. **Disciplinary Notice Status.** A specified period of time during which the student, organization, or group remains in good standing, but must demonstrate the ability to comply with College policies and any sanction assigned.
- C. **Probation.** The student is put on official notice that, should further violations of Hartwick policies occur during a specified probationary period, the student may face more severe outcomes, such as extension of their probation, and an elevated risk of suspension or expulsion. Regular probationary meetings may also be imposed.
 - 1. Students on probation may not be able to hold leadership positions, including, but not limited to, executive positions in student organizations, serve as a HOP host, or participate as a Blue Key.
 - 2. Students on probation will not be permitted to study abroad, participate in HOP trips or Alternative Spring Break, attend conferences representing Hartwick, or represent Hartwick at an official function, event, or intercollegiate competition as a player, manager, or student coach, etc.
- D. **Deferred Suspension.** Only to be used during the last two weeks of a Fall/Spring term and the last week of a summer or January term and for a student who does

not pose a threat to campus. At the end of the deferred suspension period, the suspension period begins.

- E. Suspension.** Separation from Hartwick for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the DRLCS or designee. During the suspension period, the student is banned from Hartwick property, functions, events, and activities without prior written approval from the DRLCS or designee. This Community Standards Status may be enforced with a trespass action as necessary. This Community Standards Status will be noted as a Conduct Suspension on the student's official academic transcript. Students can request to have this notation removed through the Dean of Students.
- F. Expulsion.** Permanent separation from Hartwick. The student is banned from Hartwick property and the student's presence at any Hartwick sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. This Community Standards Status will be noted as a Conduct Expulsion on the student's official academic transcript. This notation cannot be removed.

III. Educational Outcomes

- A. Restitution.** Compensation for damage caused to Hartwick or any person's property. This could also include situations such as failure to return a reserved space to proper condition. This is not a fine, but rather a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
- B. Community/Hartwick Service Requirements.** For a student or organization to complete a specific supervised Hartwick service.
- C. Loss of Privileges.** The student will be denied specified privileges for a designated period of time.
- D. Confiscation of Prohibited Property.** Items whose presence is in violation of Hartwick policy will be confiscated and will become the property of Hartwick. Prohibited items may be returned to the owner at the discretion of the DRLCS or designee and/or Campus Safety.
- E. Behavioral Requirement.** This includes required activities, including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
- F. Reflective Assignment.** This may include requiring the student to complete a reflective action, including, but not limited to, responding to specific questions

outlined in the decision letter, researching and providing reflection to a specific topic, or responding to an identified reading or media assignment.

- G. Judicial Educator Module.** Requirement to complete an online module. Instructions for accessing and completing the module(s) are provided when the Notice of Outcomes is issued.
- H. Educational Program.** Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
- I. Restriction of Visitation Privileges.** May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
- J. Decision Making Workshop.** Attend a 3 hour workshop facilitated by a professional staff member to reflect on their decision making process and learn skills to improve their decision making process. Held once per month.
- K. Hartwick Housing Reassignment.** Reassignment to another Hartwick housing facility. The DRLCS will decide on the reassignment details in consultation with the Associate Director of Residential Life and Housing Operations or designee. This may also be assigned as an interim measure.
- L. Independent Living Restriction.** Restricted from selecting into an Independent Living option (Leitzell, Townhouses, Apartments, Pine Lake) during Housing Selection.
- M. Other Educational Outcomes.** Additional or alternate Educational Outcomes may be created and designed as deemed appropriate to the offense with the approval of the DRLCS or designee.

IV. Group or Organization Outcomes

- A. The following Educational Outcomes may be imposed upon groups or organizations found to have violated the Code:
 - 1. One or more of the Community Standards Statutes and Educational Outcomes listed above; and/or
 - 2. Deactivation, de-recognition, loss of some or all privileges (including status as a Hartwick registered group/organization, for a specified period of time or permanently).
- B. Please note that this is not a comprehensive list and other outcomes may be developed depending on the situation.

V. Status and Educational Outcome Matrix

The chart below does not include all policies or outcomes and should serve only as a general guide for common policy violations and potential statuses and outcomes for those violations. Students with multiple violations may incur stronger outcomes.

Violation	Potential Status	Potential Educational Outcomes
Alcohol-First violation	Written Warning	Judicial Educator Module
Alcohol-Second violation	Disciplinary Notice	Judicial Educator Module, Parental Notification, Decision Making Workshop
Alcohol-Subsequent violations	Probation	Substance Abuse Assessment
Animals	Written Warning, Disciplinary Notice	Housing Reassignment, restitution
Bullying	Disciplinary Notice, Probation	Letter of Apology, Judicial Educator Module, Decision Making Workshop
Cyberbullying	Disciplinary Notice, Probation	Letter of Apology, Judicial Educator Module, Decision Making Workshop
Damage, Destruction, and Vandalism	Disciplinary Notice, Probation, Suspension	Restitution, Letter of Apology, Judicial Educator Module, Decision Making Workshop
Discrimination	Probation, Suspension, Expulsion	Letter of Apology, Decision Making Workshop
Discriminatory Harassment	Probation, Suspension, Expulsion	Letter of Apology, Decision Making Workshop
Disruptive Behavior-On/Off Campus	Disciplinary Notice, Probation, Suspension, Expulsion	Restitution, Letter of Apology, Housing Reassignment, Judicial Educator Module, Decision

		Making Workshop
Drugs-First Violation	Written Warning	Judicial Educator Module
Drugs-Second Violation	Disciplinary Notice	Decision Making Workshop, Parental Notification
Drugs-Subsequent Violations	Probation, Suspension, Expulsion	Substance Abuse Assessment
Failure to Comply	Written Warning, Disciplinary Notice	Decision Making Workshop, Letter of Apology
Fire Safety-Health and Safety Violation (1st violation)	Written Warning	
Fire Safety-Health and Safety Violation (Subsequent violations)	Disciplinary Notice	Judicial Educator Module, Reflective Assignment
Fire Safety-Tampering with Fire Safety Equipment	Probation	Restitution, Reflective Assignment
Fire Safety-Failure to Evacuate	Disciplinary Notice	Letter of Apology, Reflective Assignment
Harassment	Probation, Suspension, Expulsion	Letter of Apology, Reflective Assignment, Housing Reassignment
Harm to Persons	Probation, Suspension, Expulsion	Letter of Apology, Reflective Assignment, Housing Reassignment
Smoking-1st Violation	Written Warning	
Smoking-Subsequent violations	Disciplinary Notice, Probation	Judicial Educator Module, Hartwick Service
Stolen Property/Theft	Disciplinary Notice, Probation, Suspension	Restitution, Hartwick Service, Decision Making Workshop
Weapons	Disciplinary Notice, Probation, Suspension,	Decision Making Workshop, Counseling

	Expulsion	Assessment
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VI. Parental Notification

- A. Hartwick reserves the right to notify the parents/guardians of dependent students regarding any community standards situation, particularly alcohol and drug violations, or where the outcome changes the student's living or attendance status.
- B. Hartwick will use the email addresses on file for parents/guardians to notify them.
- C. Hartwick may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or drug violations.
- D. Parental notification may also be utilized discretionarily by administrators when permitted by the federal Family Educational Rights and Privacy Act (FERPA or with written consent of the student.

VII. Notification of Outcomes

- A. The outcome of a campus hearing is part of the educational record of the responding student and is protected from release under the federal Family Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or forcible or non forcible sex offense, Hartwick will inform the alleged victim/party in writing of the final results of a hearing regardless of whether Hartwick concludes that violation was committed. In addition, Hartwick will notify others as where permitted by local, state, and federal law. Such release of information may only include the alleged/responding student's name, the violation committed, the outcomes assigned (if applicable), and whether outcomes were completed. In case of sexual misconduct and other offenses covered by Title IX, the decision will be shared with all parties to the complaint in addition to the findings and outcomes.
- B. The institution will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18), or a non forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph." 20 U.S.C. § 1094 (a)(26)
- C. In cases where Hartwick determines through the community standards process that a student committed a policy violation that would constitute a "crime of

violence,” or a non forcible sex offense, Hartwick may also release the above information publicly and/or to any third party. A “crime of violence” includes, but is not limited to, the following list:

1. Arson
2. Assault offenses (includes simple assault, aggravated assault, intimidation, or stalking)
3. Burglary
4. Criminal Homicide-manslaughter by negligence
5. Criminal Homicide-murder and non-negligent manslaughter
6. Destruction/Damage/Vandalism of Property
7. Kidnapping/Abduction
8. Robbery
9. Forcible Sex Offenses
10. Non-Forcible Sex Offenses

VIII. Failure to Complete Educational Outcomes

- A. All students, as members of the Hartwick community, are expected to comply with Educational Outcomes within the timeframe specified by the DRLCS or designee. Failure to follow through on Community Standards Educational Outcomes by the date specified, whether by refusal, neglect, or any other reason, may result in additional Educational Outcomes and/or charges of additional policy violations at Hartwick.
- B. In addition, if a student’s conduct history warrants, a separation from Hartwick may be imposed in the form of a suspension for a designated period of time. A suspension will only be lifted when compliance with the Community Standards Educational Outcomes are satisfactorily achieved and the time frame identified has expired. This determination will be made by the DRLCS or designee.

SECTION 7: THE APPEALS PROCESS

I. Grounds for Appeal

- A. Any party may request an appeal of a decision that was rendered through a community standards process by filing a written request to the DRLCS or designee, subject to the procedures outlined below.
- B. Should an appeal involved a Title IX violation, the student will complete the [Hearing Appeal Form](#) as part of their written notice, and the appeals process outline in the Sexual Misconduct and Title IX Policy will be utilized. If charges relating to the Code of Community Standards are also being appealed, the DRLCS or designee will serve as a resource to policy, procedure, and precedent for the appeals panel throughout the appeal process.
- C. Appeal requests are limited to the following grounds:
 - 1. A procedural error occurred that is alleged to have a direct impact on the outcome of the hearing; and/or
 - 2. To consider new evidence, that has come to light that could have a direct impact on the outcome and which was not available before or during the investigation and/or hearing process (a detailed summary of this new evidence and its potential impact must be included in the request for appeal); and/or
 - 3. The outcomes imposed are substantially disproportionate to the severity of the violation(s).

II. Initial Appeal Procedures

- A. All appeals must be filed in writing, through the completion of the [Hearing Appeal Form](#), and submitting it to the DRLCS or designee within three (3) business days of receiving their *Notification of Outcomes* letter which identifies the hearing decision, barring exigent circumstances. Exceptions to the above mentioned filing deadline are up to the discretion of the DRLCS or designee and, when appropriate, the Title IX Coordinator.
- B. All appeals must set forth, in writing, the grounds for the appeal as identified in Section 7, I.
- C. Upon receipt of a request for an appeal, such a request will be reviewed and referred to an Appeal Review Officer if the outcome was the result of a Community Standards Hearing Board, or to the Community Standards Hearing Board if the outcome was the result of a Community Standards Meeting with an Administrative Hearing Officer, identified by the DRLCS or designee.

- D. The Appeal Review Officer/Community Standards Hearing Board will conduct an initial review of the appeal to determine if the request meets the limited Grounds for Appeal (Section 7, I) and is timely (Section 7, II (A)). The Appeal Review Officer/Community Standards Hearing Board may consult with the DRLCS or designee, and the Title IX Coordinator, when appropriate, on any procedural or substantive questions that arise.
- E. If the Appeal Review Officer/Community Standards Hearing Board determines that the appeal is not timely or adequate grounds for appeal have not been claimed, the original finding and Outcome will stand and the decision is final.
- F. If the Appeal Review Officer assigned to a Community Standards Hearing Board appeal determines that an appeal is timely and adequate grounds for the appeal have been set forth, the Appeal Review Officer will determine whether to:
 - 1. Refer the appeal directly to an Appeals Panel or;
 - 2. Remand the proceeding back to the original hearing body.
- G. If the Community Standards Hearing Board determines than appeal is timely and adequate grounds for appeal have been set forth, the Community Standards Hearing Board will:
 - 1. Call the student to the board to present their appeal case; or
 - 2. Re-hear the case based on the written appeal.
- H. Should a matter be remanded back to the original hearing body and a showing is made that the original hearing body is unduly biased by a procedural or substantive error, a new hearing body may be constituted to reconsider the matter, the decision of which can in turn be subsequently appealed.
- I. Efforts should be made to use remand when appropriate, with clear instructions that on remand the proceeding will be limited to those grounds identified in the appeal and the case will not be reconsidered in its entirety. Generally, the college will make attempts to complete this process within 14 days, barring extenuating circumstances.

III. The Appeals Panel

A. Composition

- 1. The appeals panel shall consist of three (3) members, with the following requirements to serve:
 - a) The did not serve as either an Administrative Hearing Officer, nor were they on the SGA Judicial Board or Community Standards Hearing Board for the initial hearing;
 - b) They were not involved in the investigation in any way; and
 - c) They have been properly trained on the appeals procedures by the DRLCS or designee.

2. The DRLCS or designee serves as the non-voting advisor to the panel ensuring a fair process for the complainant and responding student, and ensures the hearing process is in accordance with all the policies and procedures of the College.

B. Designation of the Appeals Panel

1. The Appeal Review Officer will have final authority to approve and designate all those serving on the Appeals Panel.
2. The Appellant may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. Procedures for challenging a panelist follow the same procedure as challenging a hearing officer, which is outlined in Section 5, X, E.
3. The Appeal Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer, in consultation with the DRLCS or designee, will solicit a replacement.

C. Hearings before the Appeals Panel

1. Appeals are not intended to be full re-hearings of the original case (de novo). In most situations, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
2. Appeals are not an opportunity for the Appeals Panel to substitute their judgment for that of the original decision-maker merely because they disagree with the findings, status assignment or Educational Outcomes. Appellate decisions are to be respectful to the original hearing body, making changes to the finding only where there is clear error and to the Educational Outcomes and Community Standards Status only if there is a compelling justification to do so.
3. On appeal, the appealing party will have the opportunity to present their case to the Appeals Panel in writing and provide support as to why the decision of the original hearing body should be reversed and/or modified.
4. On appeal, the non-appealing party will similarly have the opportunity to present to the Appeals Panel in writing why the decision of the original hearing body should be upheld.
5. Following a review of the documentation presented in the appeal, the Appeals Panel can render one of the following decisions:
 - a) Affirm the original hearing body's findings, Community Standards Status and Educational Outcomes;

- b) Remand the matter to the original hearing body with specific instructions as to basis for remand and issues to address on remand;
- c) Modify either the original hearing body's findings, Community Standards Status or Educational Outcomes with clear justification for the modification;
- d) Reverse the original hearing body's findings, with clear justification for the reversal.

D. Appeal Hearings before the Community Standards Hearing Board

1. If the Community Standards Hearing Board (CSHB) chooses to rehear the case of the appealing student, they will follow the procedures listed in Section 5, XI.
2. If the Community Standards Hearing Board chooses to call the appealing student to the board to hear the appeal, the following procedure will be followed:
 - a) Community Standards Hearing Board Appeal Meetings are not meant to be full re-hearings of the original case (de novo). In most situations, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal.
 - b) Appeals are not an opportunity for the CSHB to substitute their judgment for that of the original decision-maker merely because they disagree with the findings, status assignment or Educational Outcomes. Appellate decisions are to be respectful to the original hearing body, making changes to the finding only where there is clear error and to the Educational Outcomes and Community Standards Status only if there is a compelling justification to do so.
 - c) On appeal, the appealing party will have the opportunity to present their case to the CSHB in writing and provide support as to why the decision of the original hearing body should be reversed and/or modified.
 - d) On appeal, the non-appealing party will similarly have the opportunity to present to the Appeals Panel in writing why the decision of the original hearing body should be upheld.
 - e) Following a review of the documentation presented in the appeal, the Appeals Panel can render one of the following decisions:
 - (1) Affirm the original hearing body's findings, Community Standards Status and Educational Outcomes;

- (2) Remand the matter to the original hearing body with specific instructions as to basis for remand and issues to address on remand;
- (3) Modify either the original hearing body's findings, Community Standards Status or Educational Outcomes with clear justification for the modification;
- (4) Reverse the original hearing body's findings, with clear justification for the reversal.

E. Treatment of Original Hearing Body's Determination Pending Appeal

- 1. The presumptive stance of Hartwick is that all decisions made by any hearing body and/or Outcomes imposed by the original hearing body are to be implemented during the appellate process.
- 2. At the discretion of the DRLCS or designee, and in consultation with the Title IX Coordinator when necessary, implementation of Community Standards Status and Educational Outcomes may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Faculty are not required to accommodate students who are interimly suspended and unable to be on campus.

SECTION 8: ADMINISTRATIVE NOTIFICATION

I. Community Standards/Student Conduct Records

- A. All conduct records are maintained by Hartwick for seven (7) years from the time of graduation or separation from the college, except those that result in separation due to suspension or expulsion, and those that fall under Title IX, which are maintained indefinitely.

II. Approval and Implementation

- A. This *Code of Community Standards* was last edited on July 20, 2023, and implemented on August 1, 2023.
- B. Minor grammatical changes or differences were made as of the *Last Updated* header and are tracked by a representative of the Office of Community Standards. All changes can be provided per written request.

III. Document Revisions

- A. This subsection contains information on any minor changes that are made throughout the course of the year. All changes are documented in the following format:

Version Number	Date	Person	Rationale/Comments
0.1.0	7/10/23	C. Bunn	Document created. Access provided to M. Arno, Title IX Coordinator and College Compliance Officer; C. Bunn, Director of Residential Life and Community Standards; D. DePass, Director of Campus Safety; E. Gabrys, Associate Director of Residential Life and Community Standards; N. Hurt, Student Government Association President
0.2.0	7/20/23	C.Bunn	Initial draft finalized; access provided to C. Drescher, Acting Dean of Students for review.
0.3.0	8/25/23	C.Bunn	Minor grammar changes. Links added to policies in Additional Policies section.

SECTION 9: ADDENDUMS

Hartwick College reserves the right to addend the current Code of Community Standards at any time. These addendums will be added below in this section

Addendum: Graduate Students

- I. Student-Graduate Assistant-Faculty Relationship
 - A. The profession in the classroom and in conference shall encourage free discussion, inquiry, and expression; teaching or research assistants shall also abide by this and the following statements in this section as applicable to either or both of their capacities as teaching assistants and students. Students shall be free to take reasoned exception to the data or views offered in any course of study, based on acceptable interpretation and/or documentation, and to reserve judgment about matters of opinion.
- II. Professional Ethics
 - A. All members of the Hartwick Community, regardless of position, should share the common values that nurture the development and wellbeing of themselves, each other, the students, employees, and the College. It is expected that no one in privileged positions of leadership and power would inappropriately exploit their position for personal advantage. Because of a power asymmetry, a teaching or research assistant is prohibited from having a sexual or romantic relationship with an undergraduate student. Moreover, in accord with College-wide employee policies, discrimination and harassment, in all its forms, including sexual harassment, are considered to be serious offenses that are prohibited at Hartwick College, not only as a matter of policy, but as a matter of Federal and State law.

Addendum: SUNY Delhi Residents

- I. SUNY Delhi students residing on the Hartwick College campus are subject to the rules and regulations in the Hartwick College Code of Community Standards. Violations that can be reasonably handled by the SUNY Delhi Office of Student Conduct will be forwarded to that office. Violations that are specific to Hartwick College policies that do not have a reciprocal policy in the SUNY Delhi Code of Conduct will be adjudicated through the Hartwick College Code of Community Standards.

