

The **RED BOOK**
STUDENT HANDBOOK



Davidson College

UPDATED JULY 2015

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The Honor Code & Pledge

Each Davidson student is honor bound to refrain from stealing, lying about College business, and cheating on academic work. Stealing is the intentional taking of any property without right or permission. Lying is intentional misrepresentation of any form. Cheating is any practice, method, or assistance, whether explicitly forbidden or unmentioned, that involves any degree of dishonesty, fraud, or deceit. Cheating includes plagiarism, which is representing another's ideas or words as one's own. Additional guidelines for each class may be determined by its professor; each Davidson student is responsible for knowing and adhering to them. Each student is responsible for learning and observing appropriate documentation of another's work. Each Davidson student is honor bound to report immediately all violations of the Honor Code of which the student has first-hand knowledge; failure to do so is itself a violation of the Honor Code. All students, faculty, and other employees of Davidson College are responsible for familiarity with and support of the Honor Code. Any student, faculty member, administrative officer, employee, or guest of the College may charge a student with a violation of the Honor Code. Charges are presented to the Dean of Students and must be signed. If the Dean determines that further proceedings are warranted by the Honor Council, he or she will prepare a formal charge. Hearings, administrative conferences and other proceedings regarding alleged violations of the Honor Code shall be conducted pursuant to the Code of Disciplinary Procedures.

The following statement is the official Honor Pledge of Davidson College:

"On my honor I have neither given nor received unauthorized information regarding this work, I have followed and will continue to observe all regulations regarding it, and I am unaware of any violation of the Honor Code by others."

The Code of Responsibility

Preamble

As a college of liberal arts committed to the Christian faith, Davidson College ("Davidson" or the "College") seeks to liberate men and women of humane instincts, and of disciplined and creative minds for lives of leadership, service and self-fulfillment. Recognizing that the educational process encompasses far more than academic activities, Davidson College believes that its purpose is promoted or hindered by the quality of the total life of a college community. The promotion of a climate that is most conducive to the realization of its purpose is the sole reason for the promulgation of a code of responsibility. The Code of Responsibility is based upon the belief that Davidson's educational purpose can best be advanced in a context which emphasizes the responsible use of freedom, as opposed to license. The aim of this Code is to encourage individuals to develop responsible judgment capable of directing their conduct with a minimum of specific prohibitions. An elaborate system of rules strictly enforced might promote a surface conformity to the standards of behavior desired, but would not effectively serve to develop the maturity of character which is the aim of the College. Rather, responsible maturity is more likely to develop when members of the College community are both free and obligated to wrestle with principles of conduct and to accept full responsibility for their own actions and decisions. Specific rules are laid down in this Code only when they seem necessary to prevent actions which would infringe upon the freedoms and well-being of others, or would endanger persons and property, or would be disruptive of community life. Nothing contained in this Code is intended to condone or excuse the violation of any applicable public law or regulation. Any student, faculty member, administrative officer, employee or guest of the College may charge a student with violation of the Code of Responsibility. These charges are made to the Dean of Students. The Dean may require the charge to be signed. If the Dean determines that further proceedings are warranted, he or she may prepare a formal charge. Violations that result in the filing of a formal charge may be handled by the Judicial Committee or by the Honor Council. However, if the violations include an offense that constitute Sexual Misconduct, Stalking, or Relationship Abuse and Violence (as those terms are defined below), the charge will be handled by the Sexual Misconduct Board (See Code of Disciplinary Procedures for details).

Section I: Student Integrity

Acts of basic dishonesty, while not dealt with in the Honor Code, may be dealt with by the Honor Council. It is, therefore, the responsibility of teacher, administrator, and student to create a climate at Davidson which encourages learning and the development of relationships characterized by integrity. Such a climate requires personal discipline and scholarly integrity. For example: A student who represents himself or herself with a false identification card may be charged with an act of dishonesty. The false use of a Davidson I.D. card constitutes the misuse of an official college document.

Section II: Financial Responsibility

Since financial integrity is an essential part of maturity, it is expected that every student will satisfactorily settle all outstanding financial obligations. No student may be graduated or receive transcripts from the College until his or her financial obligations to the College or campus organizations are settled to the satisfaction of the Business Office or those organizations.

Section III: Social Responsibility

Students are expected to develop social skills and relations which are mutually beneficial and which lead to personal maturity. Social conduct is therefore to be based upon concern for others and must conform to high standards of courtesy and propriety. For example, students have the obligation to avoid any action which might impair the well-being or reputation of guests. Residence hall units, fraternities, and other social organizations have a special responsibility to promote these standards of conduct.

Section IV: Misconduct Which Affects the Rights of Persons

The students of Davidson College are responsible for maintaining an environment in which all individuals are treated with respect. To that end, students will not engage in any form of activity which intentionally or recklessly results in physical injury to any person on College premises or at College sponsored activities, or which interferes with the rights of visitors or members of the community. Physical abuse, threats of violence, or conduct which might endanger the health and safety of others are prohibited whether on or off campus.

Section V: Harassment

The students of Davidson College are responsible for maintaining an environment in which all individuals are treated with respect. Harassment is unwanted behavior that has the purpose or effect of unreasonably interfering with a person's or a group of persons' educational, work, social or living activities. Harassment can take many forms. Types of harassment include:

- Peer harassment involves persistent, intentional degradation, intimidation, or abuse of another person.
- Quid pro quo harassment involves abuse of one's power, authority, or position such that,
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; or
 - b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting the individual's welfare.
- Hostile environment harassment involves conduct that substantially interferes with an individual's educational, work, social, or living environment.
- Discriminatory harassment involves conduct of an offensive, demeaning, intimidating or hostile nature based on race, color, national origin, religion, gender¹, orientation, age or disability.

¹ Discriminatory harassment based on gender or that rises to the level of stalking is included in the definitions of "Sexual Misconduct" and "Stalking" in Section VI, below, and is governed by the Sexual Misconduct Policy.

Section VI: Sexual Misconduct, Relationship Abuse and Violence, and Stalking

Davidson College ("Davidson" or the "College") does not condone and will not tolerate sexual misconduct, sexually exploitative or harassing behavior of any kind, stalking, or relationship abuse or violence. The College community is committed to creating and maintaining an environment that is not only free of sexual misconduct, stalking, and relationship abuse and violence, but which promotes a healthy spirit of responsibility, dignity, and respect in matters of sexual conduct and interpersonal relationships. Davidson students share an ethical tradition of abiding by the highest moral standards, taking responsibility for their actions, and treating people with integrity and respect.

(See the full Policy, Procedures, and Information on Sexual Misconduct, Relationship Abuse and Violence, and Stalking on page 18.)

Section VII: Misconduct Which Affects the Property or Rights of Others

It is the responsibility of students to respect the property and rights of others. Therefore, students will not engage in any form of activity which results in or might naturally result in (1) damage to property, (2) interference with the rights of members of the community or visitors, or (3) interference with the normal activities of the College. Damage to information on computers will be viewed in the same manner as damage to property. Since a person keeping information on computers has the right to assume its privacy, students will thus not engage in unauthorized review, transfer, or alteration of information on computers.

Section VIII: Alcoholic Beverages

Davidson College expects to operate in accordance with the laws of the State of North Carolina. Possession and consumption of alcoholic beverages by anyone under twenty-one years of age is forbidden by the State of North Carolina. The use, sale, and possession of alcoholic beverages on the Davidson campus are subject to this law. Davidson students and organizations are expected to be familiar with the Davidson College alcohol policy and to operate within that policy (See section on Alcohol and Drug Abuse). Patterson Court houses have a special obligation to promote responsible behavior in regard to the use of alcoholic beverages and to insure that their officers and members know and abide by the laws of North Carolina regarding alcoholic beverages.

Section IX: Drugs

The use of alcoholic beverages and of certain drugs is potentially disruptive of the community and harmful for the user. The College disapproves of the illegal use of either. Disruptive conduct will be dealt with as such, whether connected with the use of drugs, including alcohol, or not. The College will seek, by education and counseling: (1) to prevent the illegal use of drugs, including alcohol, (2) to prevent harmful legal uses of drugs, including alcohol, and (3) to help students suffering from undesirable effects of the abuse of drugs, including alcohol. Misuse of drugs, including alcohol, by any student is grounds for disciplinary action by the College (See section on Alcohol and Drug Abuse). Students are also expected to know and abide by state laws regarding drugs and alcoholic beverages. The College will not allow itself to become a sanctuary for lawbreakers.

Section X: Weapons, Firearms and Explosives

The possession or use of firearms, weapons and explosives poses a serious threat to the safety of the other members of the community. Their possession, use, or display is not allowed on campus. Moreover, other objects used in a threatening manner could be considered weapons. For example, the menacing display of a pocket knife could be seen as a threat to the safety of others. Students are expected to be cognizant of state laws concerning firearms, weapons, fireworks and other explosives. The Law of the State of North Carolina states: GS 14-269.2. "It shall be unlawful for any person to possess, or carry, whether openly or concealed, any gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosives as defined in GS 14-284.1, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles or any other weapon of like kind, not used solely for instructional or school sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreational area, athletic field, or other property owned, used or operated by any board of education, school, college or university board of trustees or directors for the administration of any public or private educational institution. . .Any person violating

the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished in the direction of the Court by fine or imprisonment or by both such fine and imprisonment, not to exceed five hundred dollars (\$500.00) fine or six months imprisonment."

Section XI: Response to Campus Police

Because Campus Police are agents of the administration they are to be treated with courtesy and respect by all members of the community. It is the responsibility of students to comply immediately with a request to show their identity cards to any member of the campus police force.

Section XII: Residence Hall Life

Residence hall living necessarily imposes upon student's obligation of courtesy and respect for others. The preservation of property and the maintenance of conditions conducive to study and privacy are corporate and individual responsibilities of those living within residence hall units. Every student residing in College housing has the right to exclude at any time anyone other than his/her roommate(s) from his/her room. Cohabitation is prohibited.

Section XIII: Campus Regulations

Realizing the requirements of harmonious community life, Davidson College recognizes the need for certain detailed procedures regarding the operation of the community which nonetheless should be distinct from this Code. Every member of the College community is expected to be familiar with the campus regulations. (The President issues certain specific regulations regarding the use of the residence halls, general property, parking, etc. These regulations are available from the Dean of Students Office.)

All codes, regulations and procedures for their implementation and adjudication are contained in the Honor Code, the Code of Responsibility, and the Code of Disciplinary Procedures. Copies may be obtained in the Dean of Students Office. Acts of dishonesty which violate the Davidson College Honor Code and other acts which violate the Code of Responsibility and which may occur off campus may, in the discretion of the Dean of Students and Student Solicitors, if available, be grounds for disciplinary action by the College under the procedures outlined in the Code of Disciplinary Procedures.

Disciplinary Action: Rights & Powers

The Honor Code and the Code of Responsibility emphasize the individual's involvement in and responsibility for the corporate well-being of the College community. In keeping with the latter, it is incumbent upon every member of the College community to promote the climate which these codes seek to establish on the campus. This involves not only counseling with fellow members of the College community concerning their actions, but also bringing the sanctions of the judicial system to bear upon those whose conduct is in violation of the codes. The aim of disciplinary action should be the maintenance of an atmosphere conducive to the attainment of the purpose of the College. Therefore the body adjudicating a specific case should consider each infraction individually and assess penalties according to the seriousness of the offense, taking into consideration the consequences for the individual involved and for the community as a whole.

Rights of the Accused

Any student accused of a violation of the Honor Code or the Code of Responsibility who is subject to disciplinary proceedings before the Judicial Committee or the Honor Council shall be afforded the following rights:

- Accused students shall be informed in writing of the charges against them. Accused students shall have adequate time to prepare their cases. (See specified times in Code of Disciplinary Procedures, Section III, Part F.)
- At their request, accused students shall not be required to take any reviews or examinations between the time they are charged and two days after the verdict is delivered.
- Accused students shall have the right to the advice and assistance of the Defense Advisors.
- Accused students shall be assumed innocent until proven guilty by clear and convincing evidence.

- Accused students shall have the right to call witnesses, shall be allowed to question and cross examine witnesses, and shall have a fair opportunity to present a defense.
- No person shall be placed in double jeopardy.
- Accused students shall not be required to testify against themselves, but the Dean or the applicable court or disciplinary body may require other students to testify against them.
- Accused students shall not suffer an excessive penalty.
- No evidence obtained in violation of the right of privacy shall be admitted.
- No pressure shall be placed on accused students to confess or incriminate themselves.
- Accused students shall not be restrained in any manner from the full exercise of their rights of appeal.

Accusers have the right to be present during any hearing and to be advised of the sanctions imposed. Any participant in a hearing shall not be required to meet classroom obligations the day following the hearing. Any student accused of Sexual Misconduct, Stalking, or Relationship Abuse and Violence who is subject to disciplinary proceedings before the Sexual Misconduct Board shall be afforded the rights set forth in the Sexual Misconduct Policy.

Responsibility and Authority for Student Conduct

The Trustees recognize that there are two separate areas involved in the mandate to the Trustees of Section 2 of the Charter. The first has to do with the use of College facilities. In this area, regulations having to do with the health, safety and welfare of the community and with the protection of property should be promulgated as administrative matters. The other area has to do with the larger dimensions of student conduct which are more personal. In both areas, provisions should be made for consultation and participation by faculty, staff, and students, and for specific judicial mechanisms and procedures. The Trustees specifically delegate to the President the authority and responsibility for supervision and direction in both areas, and direct him to devise the necessary regulations, mechanisms, and procedures to achieve the objectives indicated herein. The Trustees have established the following mechanisms and procedures for the governance of student conduct:

I. As to the Source of Substantive Rules Governing Student Conduct

1. In the Use of Physical Facilities

Regulations pertaining to the health, welfare and security of the community and to the protection of property in respect of the use by students of physical facilities of the College shall be promulgated solely by the President. Such regulations shall be known as "College Regulations." They shall be effective from the date they are published.

2. Traffic Control, Parking and Use of General Facilities and Grounds

Regulations governing traffic control, parking, and use of general facilities and grounds should apply equally to all members of the community. The penalty for violation will normally be a monetary fine, restitution in the case of damage, or both. In the case of willful or repeated refusal by an individual to conform to the regulations or to pay penalties assessed, the following procedure will be followed: 1) in the case of a faculty or staff member, the matter will be referred to the President; 2) in the case of a student, the matter will be referred to the Dean of Students for action under the judicial procedures described herein.

3. Residence Halls and Apartments

Each residence hall shall have a Resident Adviser, Hall Counselor, or Building Manager who will be responsible for seeing that the regulations of the residence halls are observed and who will attend to the management of the residence hall. In the case of violation of regulations, staff may first attempt to handle the matter by counseling with the individual or individuals concerned. If this proves ineffective, they will refer the matter to the Dean of Students for action in accordance with the judicial procedures described herein.

II. As to the Procedures for Effecting Compliance and for Modifying Substantive Rules from Time to Time

1. Authority Delegated to Student Conduct Council

In the promulgation and modifications of substantive rules and in their enforcement through disciplinary action, the President is authorized to delegate to a "Student Conduct Council," composed as herein provided, the following functions:

- a. To serve as an advisory body to the administration, and specifically to the Dean of Students, in matters of policy relating to student conduct and disciplinary proceedings;
- b. To amend, by majority vote of the Council, substantive provisions of the Honor Code, the Code of Responsibility and Code of Disciplinary Procedures by two votes of the Conduct Council at least fourteen days apart; provided, however, that if the President of the College considers any such amendment to be in contravention of Trustees policy, he may suspend the operation of the amendment pending review by the Board of Trustees. If the President does not act to suspend its operation, he shall present the proposed amendment to the Trustees for action within thirty days after receipt by the Secretary of the Board of Trustees of notice of the President's action. If the Board of Trustees does not act within thirty days following receipt of such notice, the amendment shall become operative upon expiration of such period. If the Trustees approve the amendment, it becomes operative immediately.
- c. To recommend to the President, as may be deemed necessary, changes in enforcement mechanisms and procedures. The Student Conduct Council may be activated with the powers above stated by letter of the President to the Secretary of the Board of Trustees. It may thereafter be deactivated or have its power modified only by action of the Board of Trustees.

2. Organization and Membership of Student Conduct Council

Upon activation of the Student Conduct Council, its membership consists of the following: The Dean of Students, who shall serve as chairman unless the President appoints one from the Council or asks the Council to select one; the Director of the College Union; eight faculty divisional and at large members for staggered three year terms; the President and Vice President of the Student Government Association; the Presidents of the four classes; and two upper-class students, who are not members of the Student Government Association and who are elected at large by the student body.

Code of Disciplinary Procedures

The sole method by which violations of College Regulations and of the Honor Code and Code of Responsibility may be determined; by which sanctions may be imposed for violations so determined; and by which records of disciplinary proceedings may be maintained, shall be as provided in the following set of procedures, to be known as "The Code of Disciplinary Procedures." This Code becomes effective September 1, 1971, and thereupon supersedes all documents which pertain to matters covered by the Code.

Part I: Student Conduct Subject to Disciplinary Action

Only that student conduct duly determined under the procedure provided in this document to have been a violation of (1) The Honor Code; (2) The Code of Responsibility, as amended from time to time; or (3) Duly promulgated College regulations is subject to disciplinary action, and the sanctions which may be imposed as disciplinary action are as provided in Part II.

The Honor Code, Code of Responsibility, and College Regulations apply to the on-campus conduct of all students. They also apply to off-campus conduct of students that, in the College's judgment, involves or affects the College or other members of the College community, such as conduct in connection with:

1. Academic work or other Davidson-related educational activities and experiences, such as class projects, field trips, study abroad, or internships;
2. Activities sponsored, conducted, or authorized by the College or its student organizations; or
3. Activities that cause or threaten harm to the health, safety, well-being, or property of the College or members of the College community, including the student him- or herself.

The Honor Code, Code of Responsibility, and College Regulations apply to all such conduct by a student while a student, even if it occurs outside of an academic term or when the student is not otherwise present at Davidson College. Moreover, the College continues to have authority to administer the Honor Code, Code of Responsibility, and College Regulations with respect to any such conduct by a student while a student even if the student subsequently withdraws,

takes leave, or is otherwise absent from Davidson College, and even if the College does not learn of such conduct until after the student withdraws, takes leave, or is otherwise absent from Davidson College.

[Revise Section G:11 – Appeal Procedures: Stay of Sanction] – Remove reference to Sexual Misconduct Board.

Part II: Sanctions for Violations

A. Range of Permissible Sanctions

The range of permissible sanctions for disciplinary action, whether imposed by action of the Honor Council, the Judicial Committee, or the Sexual Misconduct Board, includes and is limited to the following:

- **Warning:** Notice, oral or in writing, that continuation or repetition of conduct in violation may be cause for more severe disciplinary sanctions.
- **Censure:** A written reprimand, which may include warning of more severe disciplinary sanction in the event of determination of a subsequent violation within a stated period of time.
- **Apology:** Oral or written apologies to persons or groups upon whose rights the accused may have infringed. This may involve a conference under administrative supervision.
- **Probation:** Exclusion from participation in privileged or extra-curricular activities for a period not exceeding one year. Probation may be extended to all activities, including campus social events, Patterson Court functions sponsored off campus, participation in college athletics (varsity, club, or intramural), attendance at sports events, and eating house or fraternity activities.
- **Referral:** To appropriate counseling or to appropriate community resources.
- **Fine:** A fine of not more than \$200 per violation.
- **Community Service:** A reasonable number of hours of community service rendered to a specified person or group for restitution of damages.
- **Eviction:** Students may be evicted from college housing if their conduct creates a nuisance for others.
- **Restitution:** Reimbursement for defacement, damage to or misappropriation of property, whether that of the college or of any member of the college community or of any guest on the campus.
- **Suspension* for a definite period of time:** Exclusion from classes and other privileges of activities with forfeiture of academic credit, as set forth in the notice of suspension, for a definite time, beginning immediately. If the suspension is for more than one term, the suspension shall begin immediately and shall be served in consecutive terms. If a sanction of suspension is appealed and the sanction upheld, the effect of the suspension shall be as of the date imposed by the Honor Council, Judicial Committee or Sexual Misconduct Board. When students are suspended, they shall ordinarily leave the campus within forty-eight hours after the conclusion of the judicial process. A suspended student shall not come on campus without the permission of the Dean of Students.
- **Indefinite suspension*:** Termination of student status, subject only to formal readmission, with no right to petition for readmission before the expiration of one calendar year from the date of suspension. Sanction for the Honor Code violation of cheating shall ordinarily include a recommended F in the course involved with authorized withdrawals (W/A) in any other courses, regardless of the time in the term that the offense is committed. If a sanction of suspension is appealed and the sanction upheld, the effect of the suspension shall be as of the date imposed by the Honor Council, Judicial Committee or Sexual Misconduct Board. When students are suspended, they shall ordinarily leave the campus within forty-eight hours after the conclusion of the judicial process. A suspended student shall not come on campus without the permission of the Dean of Students.
- Any other reasonable sanction that is directly applicable to the offense.

* **Note:** Students who have been given a sanction involving suspension and have appealed the decision are restricted during their appeal period to academic involvements only. Thus, the continuation of participation in clubs, athletic teams, musical groups or other student organizations would be disallowed during the appeal process. A reversal of the decision by the Review Board or the President may allow for reinstatement at the discretion of the Review Board or the President.

Sanctions for the Honor Code violation of cheating shall ordinarily include a recommended F in the course involved with authorized withdrawals (W/A) in any other courses, regardless of the time in the term that the offense is committed, the hearing held, or any appeal decided.

B. Multiple Sanctions for Single Violations

Multiple sanctions for single violations may be imposed by action of the Honor Council, the Judicial Committee or the Sexual Misconduct Board.

C. Procedures Required for Imposition of Sanctions

Except for imposition of the sanction of provisional suspension exercisable by the President under the Extraordinary Disciplinary Powers of the President (see below) or by the Dean of Students as provided in Disciplinary Procedures, Section C, Item 1 below, the sanctions herein provided may only be imposed in accordance with the procedures provided in Part III. Failure to comply with sanctions imposed will ordinarily result in harsher sanctions, including suspension.

Part III: Disciplinary Procedures

The disciplinary process afforded to students is not designed to be, and does not create the same rights as, the process used by courts in civil or criminal legal proceedings. Deviations from the procedures set forth in Part III will not invalidate the imposition of sanctions under Part III unless any such deviations result in an unfair hearing.

A. Initiation of Disciplinary Proceedings

Disciplinary proceedings may be initiated only on formal complaint made to the Associate or Assistant Dean of Students (hereinafter referred to as the Dean) or upon independent initiative of the Dean.

B. Who May Initiate a Complaint

Any student, faculty member, administrative officer, employee or guest of the College may initiate disciplinary proceedings by complaint. The Dean may on his or her own discretion require complaints to be put in writing and signed before proceeding further.

C. Function and Authority of the Dean for Disciplinary Proceedings

The following procedures pertain to all disciplinary proceedings involving the Dean except for Sexual Misconduct. The Sexual Misconduct procedures are in Part III, Section H.

1. Initial determination to proceed on charge

Upon receipt of a formal complaint, and following such investigation as he considers appropriate, the Dean determines whether further proceedings are warranted. If the Dean determines that they are not, the complainant is notified of his determination and the charge is dropped. If the Dean determines that further proceedings are warranted, he or she then prepares in writing a formal statement of the charge for service upon the person charged the accused.

2. Disqualification of the Dean by reason of previous counseling of student charged

In any case in which a formal complaint is made to the Dean in respect of a matter as to which the Dean has previously counseled with the student, either upon his or her own or the student's initiative, the Dean is disqualified to participate administratively in the disciplinary proceeding. The Dean may decide that the matter can best be handled by the Honor Council. In such case, the complaint shall be referred directly to the Student Solicitors. The Student Solicitors thereupon make determination, based upon such investigation as they deem appropriate, whether further proceedings are warranted. If they determine that they are not, they notify the person making the complaint of their determination and proceed no further. If they determine that further proceedings are warranted, they prepare in writing a formal statement of the charge for service upon the person charged. In such cases the Dean may not testify before the Honor Council upon his or her own initiative, nor be required to testify, against the person charged.

3. Formal statement of charges

The formal statement of charges sets forth the nature, time, and place of the alleged violation. It is to be served on the person charged promptly and in any event within ten days after receipt of the complaint by in-hand delivery or by registered mail to the last known college-recorded address if in-hand delivery is impossible. In the case of in-hand delivery, a defense advisor may be present. In cases where the Dean is not disqualified, the statement of charge is accompanied by written notification of a date, time and place for administrative conference with the Dean, which date shall not be less than two or more than ten days after the date of service. The student may on his or her own initiative waive this requirement. In cases where the Dean is disqualified, or has decided that the matter can best be handled by the Honor Council, the statement of charge is accompanied by written notification of a date, time, and place for hearing before the Honor Council, which date shall not be fewer than three nor more than ten days from the date of service of notice. At the discretion of the Dean, official college vacations, holidays, or weekends may be counted as part of the time limits specified for dealing with any case. However, the Dean may exclude any such periods in their entirety, including summer vacations, at the request of any person involved in the case, or at the Dean's own discretion. To expedite disposition of a matter, any person charged may, in writing, waive any of the minimum periods required in this section to elapse between notice and the holding of any hearing provided in this section.

4. *Deferral to criminal prosecution; stay of proceedings; effect*

In any case where the violation charged would also involve violation of state or federal criminal law, the Dean may (but need not) determine that its gravity and complexity make initial College disciplinary proceedings inappropriate or ineffectual. In such case, he or she notifies the person charged at the preliminary conference; stays further disciplinary proceedings; and refers the person making the complaint to the appropriate state or federal agency. When the Dean stays disciplinary proceedings in deference to criminal proceedings; (a) no disciplinary sanction is imposed against the person charged until the disciplinary proceedings are re-instituted and a violation is found; but (b) the award of any degree may be held in abeyance pending disposition of the criminal proceeding. If the criminal proceedings result in conviction or plea of guilty or nolo contendere, the Dean may in his or her discretion refer the matter for imposition of a disciplinary sanction to the Honor Council or the Judicial Committee. If the matter is referred to the Honor Council it proceeds in accordance with the procedure set forth in Part III, Section F for the imposition of sanction, the fact of violation being considered established by the result of the criminal proceeding.

5. *Procedure at the Dean's administrative conference*

Unless the Dean stays disciplinary proceedings in deference to criminal proceedings, he or she proceeds with the administrative conference. The Dean warns the person charged at the outset of the conference: (1) that anything he or she says may be used against him or her in the disciplinary proceedings; and (2) that it may also be used against him or her in any related criminal proceedings, though the College will as a matter of policy seek to claim evidentiary privilege in respect of communications with its students in disciplinary proceedings. The accused shall then be given the following options: (a) to admit to the violation charged and to submit to an administrative imposition of sanctions by the Honor Council for Honor Code violations or by the Judicial Committee for other Code of Responsibility violations within a range specified in this Code of Disciplinary Procedure Part II, Section A or (b) to decline to admit to the violation, and have the charge referred for disposition to the Honor Council with power in that body to invoke sanctions within the entire range; (c) in either case, to appeal the imposition of sanction to the Review Board, for review of the sanction alone in the case of administrative action, for review of the sanction, and the determination of violation in the case of Honor Council action. The election of the accused shall be recorded in writing over his or her signature.

6. *Procedure for administrative disposition of an admitted violation*

If the accused elects option (5.a), the accused shall meet with the Honor Council for Honor Code violations or with the Judicial Committee for all other Code of Responsibility violations. The Judicial Committee will be composed of the Dean or an Assistant Dean, who shall act as Chair, a faculty member randomly chosen from the Student Conduct Council, and three students randomly chosen from the Honor Council. The Committee shall give the accused the opportunity, within reasonable bounds, to present evidence in mitigation or extenuation of the violation admitted. Upon request the Committee may continue the conference from time to time for this purpose.

6a. Following the conference, the Committee in its discretion may impose any of the sanctions specified in this document, or may dispose of the charge without imposing any formal sanction. The sanctions of suspension for a definite time and indefinite suspension, involving loss or interruption of educational opportunity, are appropriate when the violator's continued membership in the college community is judged to be fundamentally at variance with:

- The integrity of the college's educational mission
- The best interest of the individual
- The best interest of the community

In order to impose the sanction of indefinite suspension, all members of the Judicial Committee sitting on the particular hearing must concur with the imposition of an indefinite suspension. A majority vote is required to impose any other sanction. Any sanction imposed is subject to review as provided in Part III, Section G.

7. *Notice of action*

The Chair of the Judicial Committee may notify the accused orally at the conclusion of the Judicial Committee hearing of its disposition of the matter, or may defer giving notice for a period not exceeding two days. In either event, the Chair shall not later than three days after completion of the conference, give the accused a written Notice of Action, which shall specify with clarity any sanction imposed.

8. *Record for review*

The Chair shall promptly prepare a written digest of the proceedings and the sanction imposed. He or she shall send a copy of this digest to the accused within five days following completion of the conference. On written request by the accused, received by the Chair at least one day prior to the hearing, a verbatim record, as by tape recording, shall also be prepared,

9. *Procedure when person charged declines to admit to the violation*

If the person charged elects option (5.b), the Dean shall forthwith terminate the conference and refer the charge to the Student Solicitors for presentation to the Honor Council in accordance with the procedures described in Part III, Section F. Referral consists of transmittal of a copy of the formal charge plus any items from his files deemed appropriate by the Dean. The Student Solicitors thereupon prepare and present a charge to the Honor Council for determination in accordance with the procedures provided in Part III, Section F.

10. *Student Organizations*

The Dean has the power of hearing cases involving student organizations which violate the Honor Code, the Code of Responsibility or duly promulgated college regulations. Sanctions against organizations may include but are not limited to those listed in Part II, Section A. Appeals from any determinations of a violation by an organization or sanction shall be the same as those for an individual.

D. Organization and Function of Honor Council

1. *Organization*

The Honor Council is composed of thirty three students: twelve seniors, twelve juniors, six sophomores, and three freshmen elected at large from the student body. The Council elects its own chair and secretary to serve one-year terms. The secretary of the Council shall be responsible for assigning members to a hearing on a rotating basis to insure that, so far as it is practicable, all serve an equal number of times. The hearing panel, in addition to the chair, shall be composed of six members of the Council to hear individual cases brought before it. Each panel shall be composed of at least three senior or junior students, and two sophomore or first year students

2. *Function and Authority*

The function of the Honor Council is to hear and determine all charges of violation presented to it by the Student Solicitors on referral from the Dean under the provisions of Part III. However, the Honor Council shall not have jurisdiction to hear or determine cases that include allegations of Sexual Misconduct, over which the Sexual Misconduct Board has jurisdiction.

3. Procedures

The procedures of the Honor Council are as prescribed in Part III, Section F.

E. Student Solicitors and Student Defense Advisors

1. Student Solicitors

The Student Solicitors are seniors elected at large by the student body. They perform the functions provided for the office in this Code of Disciplinary Procedures. The Student Solicitors, in consultation with the Dean, may appoint other students to serve with them as an investigating committee. The Student Conduct Council shall ratify these appointments. These students shall not serve as Solicitors but as investigators under his/her direction.

2. Student Defense Advisors

The Student Defense Advisors are seniors elected at large by the student body. They will advise and assist any person accused of a violation of the Honor Code, Code of Responsibility, or College regulations who desires their service. The Defense Advisors will report immediately to the Honor Council a violation of the Honor Code if the Defendant confesses to them.

3. Replacement of Resigned Student Solicitors and Defense Advisors

If a Student Solicitor or Defense Advisor submits a written resignation to the Dean of Students or becomes unable to continue his or her term, the Dean of Students shall notify the Chair of the Honor Council. The Chair of the Honor Council, in consultation with the remaining Student Solicitors and Defense Advisors, shall nominate a junior or senior class member on the Honor Council to fill the remainder of the unexpired term. The nomination will be submitted to the Student Conduct Council for ratification.

F. Hearing Procedures before Honor Council

1. Setting the hearing

Promptly upon receipt of referral of a charge from the Dean, the Student Solicitors shall notify the Secretary of the Honor Council of its receipt. The Secretary then promptly confers with the Solicitors, the accused, and the Defense Advisors to ascertain the earliest practicable date for hearing, taking into account the time required for adequate preparation. The Secretary then sets a hearing time, date, and place, docketing it on the Council records, and gives written notice of the setting to the members of the Honor Council panel who are to hear the case, the Solicitors, the person charged and the Defense Advisors. Notice to the accused shall be served by in-hand delivery, or if that is impossible, by registered mail. The hearing date shall be not less than three nor more than ten days from the date of service of notice upon the accused. The accused may on his or her own initiative waive the three-day limit.

2. When accused appears

The accused may appear at the hearing personally or be represented by a student representative, as authorized by the accused in writing. The Student Defense Advisors may represent the accused. The hearing shall proceed as follows:

- 1) The Student Solicitors read the statement of charge. The Chair asks the accused whether he or she admits to the substance of the charge, or declines to admit it.
- 2) If the accused or his representative admits to the substance of the charge, he or she may then make any statement he or she desires in mitigation or extenuation, and may present a reasonable number of witnesses in substantiation of his or her statement. The Solicitors and Council members may ask questions of such witnesses. The Solicitors may then make a statement in respect to the sanction to be imposed and may present a reasonable number of witnesses to substantiate their statement, who may be questioned by the defense and members of the Council. Closing statements may be made by the Solicitors followed by the accused or his or her representative. The Council shall then go into executive session to consider and determine the sanction, if any, to be imposed.
- 3) If the accused, or his or her personal representative, declines to admit to the substance of the charge, the Council proceeds to hear evidence as to the matter in dispute, normally in the following order:
 - evidence in support of the charge presented under direction of the Solicitors: witnesses may be questioned by the defense and the Council;

- evidence in answer, under direction of the defense: witnesses for the defense may be questioned by the Solicitors and the Council;
- the Council may call or recall any witnesses;
- rebuttal evidence, under direction of the Student Solicitors: witnesses may be questioned by the defense and the Council;
- rebuttal evidence, under direction of the defense: witnesses may be questioned by the Solicitors and the Council. Closing oral arguments may then be made by the accused or his or her representative, followed by the Solicitors. The Honor Council then determines in executive session whether a violation has occurred. If the Council determines that a violation did occur, the hearing resumes, at which time the Solicitors may suggest a sanction and the defense may present any mitigating circumstances in regard to the suggested sanction. The Honor Council then goes into executive session to determine sanction.

3. *When accused does not appear*

If the accused does not appear personally and is not represented by an authorized student representative at the hearing, the fact that the person charged has been duly notified shall be verified. If it is determined that he or she has not, the hearing is adjourned and the procedures revert to setting and notification of a rescheduled hearing. If it is determined that due notice was given, the hearing proceeds as follows:

- 1) the Solicitors read the statement of charge;
- 2) the Solicitors present witnesses and other evidence in support of the charge;
- 3) the Solicitors make closing statements. The Honor Council then determines in executive session whether a violation as charged occurred and what sanction, if any, to impose.

4. *Notice of Action*

The Honor Council may inform the accused orally of its disposition of the charge following its determination, or it may defer giving any notice for a period not to exceed two days from formal closing of the hearing. In any event, the Secretary of the Council shall, no later than three days from formal closing of the hearing, give to the accused a written Notice of Action.

5. *General rules of procedure; rights secured to accused*

i. General conduct of hearing

The Chair of the Honor Council presides and makes all rulings in respect of questions and of practice, evidence and procedure, and the Chair controls, by recognition, the participation of members of the Council and others in the hearing. The Council, by majority vote, may adopt specific rules of order for the conduct of its hearings and other deliberations, but these shall not abridge any of the general rules or rights secured to the accused as herein provided.

ii. Quorum for hearing; panels

Six members of the Council constitute a quorum for the conduct of any hearing. By direction of the Chair, the Council may sit simultaneously in multiple panels of six. In such case the Chair shall appoint a presiding chair of the panels on which he or she does not sit.

iii. Evidence

No attempt shall be made to apply technical legal rules of evidence. In general, any evidence, whether oral testimony or documentary, which is considered by the Chair to be relevant to the charge or defense, should be received subject to the power of the Chair to exclude frivolous, repetitive or merely cumulative testimony. Hearsay evidence (testimony by a witness to what a person not present at the hearing stated) should be received and evaluated with caution, since no opportunity ordinarily exists to question the absent person. Circumstantial evidence can receive the same consideration as direct evidence. Objections to evidence are ruled upon by the Chair alone.

iv. Burden and standard of proof; number of Honor Council required to determine violation

No Council member should vote to find that the person charged was in violation as charged unless on weighing all evidence the proof of violation is clear and convincing. No council member should consider any evidence of violation not brought out in the hearing itself. Council members may properly consider as evidence of violation that the party charged has refused to cooperate in a proper institutional investigation if there is any other evidence to support the charge. Whenever the charge is not admitted, no violation is found unless two-thirds of the Council hearing the matter concurs in finding it.

v. Open or private hearing

The accused shall have the prerogative of choosing that the hearing be open or closed. This choice shall be submitted in writing no less than 48 hours prior to the hearing and shall be considered binding. In the absence of a written request, the hearing shall be closed. The Secretary of the Honor Council shall give public notice of an open hearing. The verdict and sanctions shall be made available to the public within 48 hours of the decision, but not before the accused has been notified of the same. Deliberations of the Honor Council remain strictly confidential. In an open hearing, the Chair reserves the right to dismiss persons whose disorderly conduct is disruptive to the hearing.

vi. Right to question adverse witnesses

Both the Solicitors and the person charged, and/or the Defense Advisors, shall have the right, within bounds of general relevance, to question adverse witnesses who testify at the hearing. The accused shall not be required to testify against himself or herself, but the Dean or the Honor Council may require other students to testify. The Council may question all witnesses.

vii. Personal support for accused student

An accused student may request additional persons (e.g., family member, minister, lawyer) be allowed to sit in a nearby waiting room during the proceedings of the Honor Council. To facilitate personal support and counsel to the accused, the chair may provide appropriate recesses from time to time. However, such persons shall not be permitted to sit in the hearing room during a closed hearing. Additional students may be permitted in the hearing room during the hearing at the discretion of the Chair; these additional students may not speak during the proceedings.

viii. Provision of record for review

The Secretary of the Council shall prepare a written digest of the proceedings at all hearings, without regard to whether evidence is received on the question of violation, and without any request being made by the accused. The digest of the hearing shall include defense statements of mitigating circumstances. On written request by the person charged to the Secretary of the Council at least one day prior to the hearing, a verbatim record, as by tape recording, shall also be provided.

ix. Pledge of confidentiality and honesty

All students participating in a disciplinary hearing shall pledge (which pledge shall be confirmed in writing) to maintain in confidence all matters presented or discussed at the hearing. All witnesses in a disciplinary hearing shall pledge (which shall be confirmed in writing) to present honest testimony. If the Chair of the Honor Council or the Chair of the Sexual Misconduct Board has reason to believe that a student lies during the hearing, the student may be formally accused of lying.

6. Imposition of sanctions.

a) Standards

Unless specifically limited by some provision of this document, the Council may consider as possible sanctions in any case where a violation is found or admitted all those sanctions enumerated in Part II, Section A, without regard to the particular violation involved. It should, however, attempt to fairly fit the sanction to the violation seen in total context. Thus, a fairly severe sanction might appropriately be imposed for a relatively minor violation which has been persistently repeated despite formal warning, while a relatively minor sanction might appropriately be imposed for a serious violation where substantial extenuation is shown.

The sanctions of suspension for a definite time and indefinite suspension, involving loss or interruption of educational opportunity, are appropriate only when the violator's continued membership in the College community is judged to fundamentally be at variance with:

- The integrity of its educational mission.
- Pose a specific threat to his or her own emotional health.
- The minimal internal order of the community.

b) Number of Honor Council required to impose particular sanctions

In order to impose the sanction of indefinite or definite suspension, all members of the Council sitting on the particular hearing must concur with its imposition. Two-thirds concurrence is required to impose any other particular sanction.

7. Finality of determination by Council; failure by Honor Council to make determination in referred case

a) *Finality*

Determination by the Council, both as to the fact of violation and as to the sanction to be imposed, are finally dispositive of the disciplinary proceeding, subject only to the right of the person charged to appeal as provided in Part III, Section G.

b) *Effect of failure by Council to determine referred case*

A failure of the Council to make a determination in a case within 30 days after its formal referral by the Dean to the Student Solicitors constitutes a re-referral of the matter to the Dean. On re-referral, if the fact of the violation is admitted to, the Dean shall refer it to the Judicial Committee for sanctioning as provided in Part III, Section A. If the fact of the violation is not admitted to, the Dean shall refer it to the Judicial Committee for a hearing, determination of violation, or non-violation, and impose sanctions as provided in Part II, Section A of the Code of Disciplinary Procedures.

8. Student Organizations

The Honor Council has the power to hear cases and impose sanctions involving student organizations that violate the Honor Code, the Code of Responsibility, or duly promulgated College regulations. The sanctions against organizations may include, but are not limited to, those listed in Part II, Section A. Appeals from any determination of a violation by an organization or sanction shall be the same as those for an individual.

G. Appeal Procedures from Decisions of the Judicial Committee or the Honor Council

1. Appeals from the Dean and Honor Council

From any determination of a violation or the imposition of any sanction by the Judicial Committee or the Honor Council, the appellant may appeal to the Review Board.

2. Review Board; composition and organization; quorum

The Review Board, all of whom shall be voting members, consists of three (3) faculty members selected for staggered three-year terms by the faculty according to the procedure set up for faculty committee membership and two (2) students who are elected at large by the student body. One junior shall be elected each year to serve for two years. The Review Board shall elect one of the faculty members as chair, and one of the students as secretary. While five (5) members present are preferred, three (3) members, including at least one (1) student member, of the Review Board constitute a quorum for hearing and determination of appeals. The Secretary of the Honor Council shall be present with the Review Board without vote, when an appeal from the Honor Council is being heard. If the Secretary of the Honor Council is unavailable, then the Secretary will designate a member of the panel which heard the case to be present. The Dean of Students or designee shall be available to provide clarification of any issues during a Review Board hearing for Judicial Committee appeals.

3. Method of Appeals to Review Board

Appeals to the Review Board are made by giving written notice of appeal to the Dean of Students, as the case may be, within five (5) days after receipt by the appellant of Notice of Action by the Dean of Students or the Honor Council. All appeals to the Review Board shall specify exactly why the appeal is being made and shall be limited in scope to the matters set forth in Part III, Section G, Number 5(b), i.e., why the evidence upon which the person was found guilty was not clear and convincing, whether substantial prejudicial errors in procedures existed or why the sanction was inappropriately severe. A copy of the formal Notice of Action should be attached.

4. Record of appeal

The Review Board shall hear an appeal based solely on the record of proceedings of the Judicial Committee or the Honor Council. It shall not receive any new evidence. It shall, however, be permitted to consider arguments and written materials regarding alleged procedural errors. In the case of appeal from the Honor Council or from the Judicial Committee, the record consists of the Notice of Action, the digest of proceedings, and, where it has been timely requested, a tape recording of the proceedings. The responsibility for preparation and transmittal to the Review Board of the record is with the Chair of the Judicial Committee in appeals from the Judicial Committee and with the Secretary of the Honor Council in appeals from its action. The digest shall be available to the members of the Review Board no less than 24 hours before the commencement of the Review.

5. Consideration of appeal; scope of review

a) Consideration of appeal

The Review Board shall consider the appeal solely on the record. It shall not receive any new evidence. It may permit written briefs, oral arguments, or both, by the appellant and the Student Solicitors or the Dean upon their requests. Such briefs and arguments shall be confined to matters properly to be considered by the Review Board within the scope of its review defined in (b) of this subsection 5.

b) Scope of review

Review of the finding of violation is confined to the questions: (1) whether there is clear and convincing evidence in the record to support the finding; (2) whether the hearing was free of substantial error prejudicial to the person charged under the prescribed procedures; and (3) whether the sanction imposed is essentially appropriate in light of the seriousness of the violation.

6. Determination of appeal; Notice of Action

a) Determination

All the members of the Board sitting on an appeal shall together hear such oral arguments as they are received, and the Board shall reach decision in executive conference of all those sitting on the appeal. A majority of those sitting on the appeal voting together determine the action on the appeal both in respect of the finding of violation and of the imposition of sanction. A different majority may determine the action in respect of each. Decisions shall be rendered within fifteen (15) days after receipt of the record of appeal, unless, for extraordinary reasons shown by the appellant or the Student Solicitors, the time is extended to allow more time for presentation.

b) Notice of Action

Written Notice of Action taken on appeal shall be given by the Secretary of the Board to the appellant no later than two (2) days after a decision is reached in conference. The Secretary shall prepare a written digest and the official notice of action of the Review Board.

7. The Review Board will follow a standard procedure in its hearings

- i. The appeal will come in writing stating clearly the issues to be raised. Solicitors will have time to read the appeal and to prepare a written response that shall be made available to the defense prior to the meeting of the Review Board.
- ii. The Review Board will meet in executive session to read the appeal and review the digest of the Honor Council or the Judicial Committee.
- iii. The Secretary of the Honor Council or the Dean of Students, the Solicitors, the appellant, and the Defense Advisors (if requested by the accused) will then be admitted. No other witnesses, including character witnesses, may appear.
- iv. The appellant or his/her representatives will read the appeal. Review Board members may then ask any questions about the nature of the appeal and the particular evidence to support it. Issues involving evidence not previously heard by the Honor Council shall not be considered. (The appellant may read a statement on his or her behalf, but raising only those issues appropriate to be heard by the Review Board.)
- v. The Solicitors shall make their response to the appeal. They also shall be questioned by the Review Board if necessary.
- vi. The Secretary of the Honor Council shall be available to provide clarification of any issues. If the Secretary to the Honor Council is unavailable, then the Secretary will designate a member of the panel, which heard the case to be present.
- vii. The Dean of Students, or designee, shall be available to provide clarification of any issues during a Review Board hearing for judicial appeals.
- viii. The Review Board shall meet in executive session to discuss the case and to reach its decision. The Secretary of the Review Board shall prepare the digest of the hearing. The digest shall be available to the President of the College in the case of a subsequent appeal.
- ix. The Secretary of the Review Board will inform the accused of its decision with the Notice of Action within two days. The Secretary will also inform the Chair of the Review Board, Defense Advisors, the Dean of Students, The Dean of Student's Executive Assistant and the Secretary of the Honor Council of the decision of the Review Board.

8. Action available to Review Board

The Review Board may on the basis of its review of the record and its consideration of any briefs and statements received;

- a) affirm both the finding of violation and the sanction imposed;
- b) remand for re-hearing if it determines that substantial error prejudicial to the person charged on the question of violation was committed at the hearing;
- c) reverse and dismiss the charge if it determines that there is not substantial evidence on the record to support a finding of violation;
- d) affirm the finding of violation, but reduce the sanction to one deemed more appropriate than that imposed;
or
- e) where violation was admitted, reduce the sanction to one deemed more appropriate.

9. Finality of action of Review Board

The action of the Review Board is finally dispositive of the disciplinary proceeding, except in cases of remand, and except for the right of the person charged to appeal to the President in the cases provided in subsection 10 following.

10. Appeal to the President

In cases where in the Review Board affirms the imposition of a sanction of indefinite or definite suspension, the appellant may appeal the imposition of a sanction to the President of the College. Notice of Appeal must be given in writing to the President and to the Secretary of the Review Board within five (5) days after receipt of the Review Board's Notice of Action. Review is solely on the record on appeal before the Review Board, plus any written brief filed with the Review Board by the appellant. The President may, in conference with the appellant, hear and consider oral argument. Review by the President is confined solely to the question of the appropriateness of the sanction in total context. The President shall ordinarily reach a decision and give formal written Notice of Action within ten (10) days after receiving the Notice of Appeal. The President may affirm the imposition of sanction by the Review Board or reduce it to one deemed more appropriate. The action of the President is finally dispositive of the disciplinary proceedings.

11. Stay of sanction pending appeals

The imposition of sanction is stayed following action by the Judicial Committee, Honor Council, and the Review Board for the periods during which Notice of Appeal may be given following their respective actions, and thereafter until the matter has been finally disposed of within these procedures. If upheld on appeal, a sanction of definite or indefinite suspension shall be effective as of the date imposed by the Honor Council or Judicial Committee. If the appellant appeals the sanction of probation, the term of the probationary period will begin after the appeal procedure has been completed if the sanction is upheld. Should the appellant be a senior and the length of the probationary period extend beyond the date of commencement, that student shall not be eligible for a degree until the end of the probationary period. (See Code of Disciplinary Procedures, Part II, Section A. Range of Permissible Sanctions, Item 13 regarding out of classroom restrictions on a student receiving a sanction of suspension.)

12. Petition for readmission

A student who has been suspended for an indefinite period may petition in writing for readmission to the Faculty Executive Committee. This petition will be submitted through the Dean of Students Office. The Faculty Executive Committee may, when possible, consult with members of the Honor Council and Judicial Committee who heard the student's case.

13. Suitability of student members

All student candidates for the Review Board, the Student Solicitors, and the Student Defense Advisors must be interviewed by a committee of the Student Conduct Council. This committee will be composed of the Dean of Students, two faculty/staff members, two student members of the Student Conduct Council, and two members of the Honor Council, one of whom shall be the Chair. The committee will seek to determine the suitability of candidates as to their appreciation of the Honor Code and Code of Responsibility, their willingness to suspend

students found guilty of violations, and their seriousness of purpose. The committee shall certify candidates for these offices before they stand for election.

Policy, Procedures, and Information on Sexual Misconduct, Relationship Abuse and Violence, and Stalking

I. Introduction

Davidson College is committed to creating and maintaining an environment that is free of sexual misconduct, stalking, and relationship abuse and violence, and that promotes a healthy spirit of responsibility, dignity, and respect in matters of sexual conduct and interpersonal relationships. The college does not condone and will not tolerate sexual misconduct, stalking, or relationship abuse or violence. This Policy provides recourse for students who have experienced sexual misconduct, relationship abuse and violence, or stalking, and establishes a process for the college to make a determination whether specific behaviors constitute violations of this Policy.

["Sexual misconduct"](#) is a term that encompasses a broad range of behavior, from harassing statements to criminal sexual assault. Any individual who has been the target of sexual misconduct, stalking, or relationship abuse or violence has the option to make a report to campus police or local law enforcement, to initiate Davidson's internal complaint procedure as outlined in this Policy, to do both, or to do neither.

The college strongly encourages all members of our community to [report](#) any act of sexual misconduct, stalking, or relationship abuse or violence, and to seek appropriate health care and support. All individuals are encouraged to report an incident even if the reporting person does not want to file a criminal report or initiate Davidson's internal complaint procedure. Sexual assault (including rape), physical violence, and stalking are serious criminal acts. The college urges students to report criminal acts to the police, though no student is required to do so.

When the college receives a report of sexual misconduct, stalking, or relationship abuse or violence, the college will use the procedures outlined in this Policy to take reasonable, prompt, and appropriate action to respond.

This Policy has been developed consistent with Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 *et seq.*, its implementing regulations, 34 C.F.R. Part 106, and significant guidance documents published by the U.S. Department of Education Office for Civil Rights; and with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f) ("the "Clery Act") and its implementing regulations, 34 C.F.R. Part 668. Please note that the definitions and standard of review in this Policy differ from North Carolina criminal law. (*Refer to the college's Annual Security Report for the North Carolina criminal law definitions for sex offenses, stalking, domestic violence, and dating violence.*)

II. Options for Immediate Assistance

If you are in an emergency situation, go to a safe location and **call 911**.

If you have been the target of sexual misconduct, relationship abuse and violence, or stalking and are seeking immediate assistance, you have several on- and off-campus options. Please note that different employees on campus have different abilities to maintain a student's confidentiality – to access fully confidential resources you should contact a medical professional at the Student Health and Counseling Center (doctor, nurse, or counselor) or the Chaplain's Office.

On Campus Immediate Assistance Options: CAMPUS POLICE

Main Phone: 704-894-2178
Officer on Duty: 704-609-0344 (24 hour)

The Davidson College Public Safety Office has staff trained in how to respond to a report of sexual misconduct, relationship abuse and violence, or stalking. If you prefer, you may request to speak to the Interpersonal Violence Officer (as of January 1, 2015, Assistant Chief Carolyn McMackin serves in this role). Campus Police can assist you with personal safety, seeking medical attention, preserving evidence, or filing a police report. Campus Police also can contact other on- and off-campus resources to assist you.

STUDENT HEALTH AND COUNSELING CENTER

Main Phone: 704-894-2300 (weekdays 7:30 am to 9:30 pm)
Nurse on Call: 704-337-7047 (after hours and weekends)
Counselor on Call: 704-894-2541 (24 hour)

The Student Health and Counseling Center is a confidential resource for students seeking medical assistance or psychological counseling. The staff can assist you in seeking immediate emergency medical care at a local hospital and/or receive an exam from a sexual assault nurse examiner (SANE) at a local hospital. Any student can call the counselor on call to address a psychological emergency. Calls are fully confidential, as with all counseling services, with exception made only in the case of imminent harm or as required by law.

HEALTH EDUCATOR

Main Phone: 704-894-2902
After Hours: 704-892-3306
Mobile Phone: 704-650-6813

The Health Educator can accompany you to the hospital for a SANE examination and can help you understand your options and resources (as of January 1, 2015, Georgia Ringle serves in this role). Additionally, the Health Educator can provide guidance and support.

DEAN OF STUDENTS OFFICE

Main Phone: 704-894-2225
Dean on Call: 704-975-0386 (24 hour)

The Dean of Students office has trained staff who can help you understand your options and resources and can connect you with additional on- and off-campus resources. The Dean on Call can arrange for someone to accompany you to the hospital for a SANE examination. If you prefer, you may request to speak to the [Title IX Coordinator](#) (as of January 1, 2015, Associate Dean Kathy Bray serves in this role)

RESIDENCE LIFE STUDENT STAFF

The Residence Life student staff (hall counselors, resident advisors, and building managers) can help connect you with on- and off-campus resources.

CHAPLAIN'S OFFICE

Main Phone: 704-894-2423

The college chaplains are available to all members of the college community - those of any faith tradition, or none at all - to offer confidential spiritual direction and pastoral counseling. They also can assist individuals in determining whether additional counseling with a clinically trained therapist might be helpful.

Off Campus Immediate Assistance Options:

TOWN OF DAVIDSON POLICE

Main Phone: 704-892-5131 (24 hour)

Emergency: 911 (24 hour)

The Davidson Police Department is available 24 hours a day, 365 days a year to meet with any crime victim of a sexual assault, domestic violence, any physical assault or the crime of stalking. The officers are committed to conduct a full criminal investigation into these allegations. The Davidson Police Department also provides a Victim-Witness Advocate who is trained to support and assist victims of domestic violence and sexual assault. This support is provided as the case is investigated and where the evidence exists, prosecuted to the fullest extent of the law. There are no costs for these services.

COMMUNITY RESOURCES

Crisis and Emergency Shelter Services:

Safe Alliance: 704-332-9034
(Victim Assistance and Rape Crisis) 704-375-9900 (24 Hour)

Shelter for Battered Women: 704-332-2513
Victim Assistance/Domestic Violence: 704 336-4126
Salvation Army Center of Hope
Women and Children's Shelter: 704-348-2560

Women's Commission: 704-336-3210
Domestic Violence Healthcare Project: 704-446-3999
(based at Carolinas Medical Center)
Project Safe (based at Presbyterian Hospital): 704-614-7212

Servicios en Español:

Shelter for Battered Women: 704-332-2513
Victim Assistance: 704-336-4126
Programa Confianza: 704-432-6970

Services for the LGBTQ+ Community:

Safe Alliance: 704-332-9034
(Victim Assistance & Rape Crisis) 704-375-9900 (24 Hour)
Time Out Youth: 704-344-8335
(shelter and LGBTQ+ resource referrals)
Women's Commission: 704-336-3210
(partner violence resources)

PRESERVATION OF EVIDENCE

If you have experienced sexual assault, evidence of the assault may be left on your body. You should take steps to preserve evidence of the assault even if you have not made a decision to file a criminal report. If the assault occurred within the past 96 hours, you are strongly encouraged to receive an exam from a sexual assault nurse examiner (SANE)

at a local hospital. It is important that you not bathe, wash, douche, smoke, or change clothing prior to the exam so that evidence may be preserved. If you do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infection(s).

There may also be physical evidence of the assault at the location where you were assaulted. Campus Police can assist you in the collection and preservation of physical evidence even if you have not yet decided whether to file a criminal report. It is important that you not clean the bed/linen/area where you were assaulted so that evidence may be preserved. In all cases of sexual misconduct, domestic violence, dating violence, or stalking, you are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other documents, if any, that would be useful to the investigation and complaint resolution process and/or to police.

III. Overview of Policy and Process

This section provides a general overview of the process for a student reporting conduct prohibited under this policy. This section is included to assist students with a general understanding of our policy and process. It is important to understand that there are significant policy considerations not included in this overview – all students are strongly encouraged to read the entire policy, which follows immediately after this general overview.

Reporting. You may [report a violation of this Policy](#) to any Responsible Employee. If you want to access confidential resources, you may contact the Student Health and Counseling Center or the Chaplain's Office. All non-confidential reports will be reported to the Title IX Coordinator, who will meet with you to review your options and all available resources.

Options. You are not required to take any action when you report a Policy violation, but if you decide to take any action, your options include:

1. Filing a criminal report with campus police or local police;
2. [Filing a formal complaint](#) with the Dean of Students Office requesting that the college initiate its internal complaint procedures;
3. In appropriate cases, pursuing informal mediation of the complaint conducted by staff of the Dean of Students Office;
4. [Requesting interim measures and additional remedies](#) (for example, a no-contact order, alteration of class schedules or housing arrangements); and/or
5. Accessing available resources, including counseling.

Confidentiality. If you request confidentiality of your report, the college will take all reasonable steps to respond consistent with your request. Different employees on campus have different abilities to maintain a student's confidentiality – to access confidential resources you should contact the Student Health and Counseling Center or the Chaplain's Office.

As a general rule, the college will not conduct an investigation into your report or take any remedial action without first obtaining your consent, and will conduct any investigation and respond to your report consistent with your request for confidentiality or request not to pursue action. The college's ability to respond to a report may be severely limited if the Complainant requests confidentiality or asks that the report not be pursued. Refer to the section below on [Requests for Confidentiality](#) for additional information about confidentiality and the college's investigation of reports.

In the event the college's internal complaint resolution procedures are initiated, all persons participating in that process will [pledge in writing](#) to maintain in confidence all matters presented in the process. The college will limit disclosure of information to those individuals involved in the college's response to the report and to legally required and permitted disclosures.

Interim Measures and Additional Remedies. The health and safety of our students and community is of paramount importance. When appropriate, the college may determine it must take action upon receiving a report to ensure a safe and nondiscriminatory environment for students. These actions, called “interim measures” or “additional remedies,” can include a no-contact order, alteration of class schedules or housing arrangements, and probation or interim suspension of the student whose conduct is alleged to have violated this Policy (the “Respondent”). This Policy includes a [list of possible interim measures and additional remedies](#). If the college determines that the nature of the reported violation represents a serious or continuing threat to the campus community, the college may issue a “timely warning” communication to the campus community. (*Refer to the college’s Annual Security Report for additional information on timely warnings.*)

Initiating the college’s internal complaint procedures. The college has established a process for making a determination whether specific behaviors constitute violations of this Policy. To initiate this process, you need to [file a Formal Complaint](#) with the Dean of Students. If the Dean of Students determines that the allegations in the formal complaint, if proven, would constitute a violation of this Policy, the Dean of Students will issue a [Notice of Investigation](#) to Respondent and will assign an Investigator or team of Investigators to conduct an investigation into the alleged Policy violation(s). The length of the investigation depends on the circumstances of each case, but the college will make every effort to complete an investigation in 30 calendar days, and to complete the complaint resolution process (including the investigation) in 60 calendar days. The Complainant and Respondent will have timely and equal access to information that will be used during the complaint resolution process.

The Dean of Students will notify Complainant and Respondent in writing at the conclusion of the investigation whether, based on information gathered in the investigation, there are any additions or revisions to the policy violations alleged. If the investigation finds no factual basis for the allegations, the Dean of Students, in consultation with the Title IX Coordinator, may dismiss the allegations prior to resolution by the Sexual Misconduct Board.

Advisors. Students may be accompanied to any related meeting or proceeding by the [advisor of their choice](#). The advisor may not actively participate in the meetings or proceedings. At the student’s request, the college will provide a list of staff and students who are trained advisors available to provide guidance and support to the student. Students are not required to choose an advisor from the list of trained staff and students.

Complaint resolution. The [Sexual Misconduct Board](#) determines whether a policy violation occurred and imposes sanctions for policy violations as appropriate. The Board will review the investigation report and may request any additional relevant information from the Investigator or third parties and/or to hold a [conference](#) with the Complainant, Respondent, and Investigator. The focus of such conference will only be to clarify information presented in the investigation report. The Board will apply a [preponderance of evidence](#) standard when arriving at a determination of whether a policy violation occurred. A [notice of the Board’s determination](#) of whether a policy violation occurred, including the rationale for the decision and the sanctions imposed, if any, ordinarily will be distributed to Complainant and Respondent within two calendar weeks of the Dean of Students’ notice of the conclusion of the investigation.

Sanctions and additional remedies. If the Board determines a policy violation occurred, the Board will impose sanction(s) and in determining sanctions, the Board will attempt to fairly fit the sanction to the violation seen in total context. This policy includes a [list of possible sanctions](#). In addition to sanctions imposed by the Board, the Dean of Students, in consultation with the Title IX Coordinator, may impose new or continuing [additional remedies](#) designed to ensure a safe and nondiscriminatory environment for students.

Appeals. Either Complainant or Respondent can [appeal](#) the finding of the Sexual Misconduct Board or the sanctions imposed on the following grounds: (i) procedural error that had a material impact on the fairness of the complaint resolution process; or (ii) the sanction is substantially disproportionate to the findings. Appeals are filed with the Dean of Students and are heard by independent counsel selected by the college, called the appeal officer. The appeal officer ordinarily will decide within five business days of receiving the record on appeal whether the appeal will be considered. If the appeal officer decides to consider the appeal, the appeal officer will invite written responses from the Chair and the

non-appealing party, and may request a conference with Complainant, Respondent, and the Chair of the Sexual Misconduct Board. The appeal officer's decision ordinarily will be distributed to Complainant and Respondent within five business days of the decision to consider the appeal, and this decision is finally dispositive of the matter.

Publication of outcomes. In addition to the information contained in the college's annual security report, the college will publish annually a three-year summary including the number of sexual misconduct reports received by the Title IX Coordinator, the number of sexual misconduct complaints filed with the Dean of Students Office, and the outcome of complaints filed (including the finding and sanctions, if any). The three-year summary will not include the names of any students. Any interim measures or additional remedies imposed will be reported in the aggregate.

College Policy and Law Enforcement Proceedings.

The College's Policy, definitions, and standard of review differ from North Carolina criminal law. Neither law enforcement's determination whether to prosecute the Respondent nor the outcome of any criminal prosecution is determinative of whether a violation of this Policy has occurred. Proceedings under this Policy may be carried out prior to, simultaneously with, or following [civil or criminal proceedings off campus](#).

IV. Definitions

The following definitions outline the types of conduct prohibited under this Policy and identify the individuals and processes involved in the investigation of and response to allegations of those prohibited acts:

Prohibited Acts

The following defined acts are prohibited, regardless of the sexual orientation, gender identity, or gender expression of the individuals involved.

Sexual Misconduct

"Sexual Misconduct" encompasses a broad range of behavior, from harassing statements to criminal sexual assault. It includes "Non-consensual Sexual Penetration," "Non-Consensual Sexual Contact," "Sexual Exploitation," and "Sexual Harassment."

Non-Consensual Sexual Penetration

"Non-Consensual Sexual Penetration" is defined as any sexual penetration no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent.

Non-Consensual Sexual Contact

"Non-Consensual Sexual Contact" is defined as touching of intimate body parts such as genitalia, groin, breast, buttocks, or mouth or any clothing covering them, without consent; the removal of another person's clothes without consent; touching a person with one's own intimate body parts without consent; compelling another to touch one's intimate body parts without consent; or any other intentional sexual touching with any object by a person upon another person, without consent.

Sexual Exploitation

"Sexual Exploitation" occurs when an individual takes non-consensual or abusive sexual advantage of another to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to: engaging in voyeurism; electronic transmission of pornographic or other sexually inappropriate material; exposing one's genitals or breasts in non-consensual circumstances or inducing another to expose genitalia or breasts; and any other sexual activity that goes beyond the boundaries of consent, such as recording of sexual activity, allowing another person to observe sexual activity without the other person's consent, or engaging in sexual activity with another person while knowingly infected with an STI or HIV without informing the other person of the infection.

Sexual Harassment

“Sexual Harassment” is defined as conduct that has the purpose or effect of substantially interfering with a person’s work or educational opportunity; creates an intimidating, hostile, or offensive work or educational environment; or otherwise negatively affects a person’s work or educational opportunities. Sexual harassment denies an individual dignity and respect and may take on different forms. It includes, but is not limited to:

- Unwelcome verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of that individual’s gender (or that of an individual’s relatives, friends, or associates);
- Unwelcome threats, derogatory comments, jokes, innuendos, insults, slurs, epithets, negative stereotyping, and other similar conduct that relates to gender; or
- The placement, dissemination, or circulation on campus of any unwelcome written or graphic material (in hard copy or electronic form) that denigrates or shows hostility or aversion toward an individual or group because of gender. Sexual harassment may further include unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome conduct of a sexual nature where:
 - Submission to or tolerance of such conduct is made either an explicit or implicit term or condition of employment or student admissions, enrollment, participation, and programming;
 - Submission to or tolerance or rejection of such conduct is used as a basis for employment or for academic, athletic, or other educational decisions affecting an individual;
 - The conduct has the purpose or effect of substantially interfering with an individual’s work or academic, athletic, or other educational performance; or
 - The conduct creates an intimidating, hostile, or offensive work or educational environment.

If an individual has welcomed sexual advances or other harassing conduct (whether sexual or otherwise) by active participation in or encouragement of such activity, that individual should specifically inform the alleged harasser if such conduct is no longer welcome in order for any subsequent conduct to be deemed unwelcome. However, failure to give such notice in no way prevents the college from taking appropriate corrective and/or disciplinary action against the alleged harasser for the behavior.

Relationship Abuse and Violence

“Relationship Abuse and Violence” encompasses a broad range of behavior, including, but not limited to, “domestic violence” and “dating violence.” It includes acts of coercion, abuse, violence, or threats of violence between partners in a personal, intimate relationship. The coercive, abusive, violent, or threatening behaviors can be physical, sexual, psychological, verbal, and/or emotional. Relationship Abuse and Violence can occur between current or former intimate partners who have dated, cohabitated, or been married.

Domestic Violence

“Domestic Violence” is defined as a felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner; a person with whom the individual shares a child in common; a person who is cohabitating with, or has cohabitated with, the individual as a spouse or intimate partner; a person similarly situated to a spouse of the individual under the domestic or family violence laws of North Carolina; or any other person against an adult or youth who is protected from that person’s acts under the domestic or family violence laws of North Carolina.

Dating Violence

"Dating Violence" is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the individual. It includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking

"Stalking" is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For purposes of this definition:

- "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the individual being stalked.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Related Terms

Consent

"Consent" means the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter.

Consent can be communicated by either explicit verbal consent or overt action clearly expressing consent. Such signals of consent must be mutual and ongoing, as well as offered freely and knowingly.

Consent cannot be inferred under circumstances in which consent is not clear, including but not limited to the absence of "no" or "stop," or the existence of a prior or current relationship or sexual activity. As well, a verbal "no," even if it may sound indecisive or insincere, constitutes a lack of consent. If at any time during a sexual encounter any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue. Consumption of alcohol, in and of itself, does not relieve an individual of responsibility to obtain ongoing consent.

An individual who is asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who was under duress, threat, coercion, or force, is not able to consent. An individual who is under the age of 16 is not able to consent. Indications of consent are irrelevant if the person is not able to consent.

Coercion

"Coercion" is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including harassment, intimidation, manipulation, threats, or blackmail. A person's words or conduct are sufficient to constitute coercion if they impair another individual's ability to choose whether or not to engage in sexual activity.

Incapacitation

"Incapacitation" is a state where an individual cannot make an informed and rational decision to engage in sexual activity because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the who, what, when, where, why or how of the sexual activity) and/or is physically helpless.

Incapacitation may result from the use of alcohol or drugs, but consumption of alcohol or drugs alone is not sufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's decision-making ability; awareness of consequences; ability to make informed judgments; and capacity to appreciate the nature and the quality of an act.

Evaluating incapacitation also requires an assessment of whether the Respondent knew or should have known that the Complainant was incapacitated. In determining whether Respondent should have known that Complainant was incapacitated, the standard is whether a reasonable sober person should have known that Complainant was incapacitated. Indicators of incapacitation may include the following: bloodshot or unfocused eyes; concern expressed by others about the individual; memory loss or disorientation; outrageous or unusual behavior; slurred speech; unsteady gait; vomiting; and in or out of consciousness.

Preponderance of the Evidence

The Sexual Misconduct Board considers the greater weight of the credible evidence to determine whether a policy violation occurred. This standard, referred to as the "preponderance of the evidence," means the Board, after considering all of the evidence, must find that it is more likely than not that the alleged violation occurred.

Complainant

A "Complainant" is an individual who reports an experience of sexual misconduct, stalking, or relationship abuse or violence. In the case of complaints that are pursued when the affected individual is unable or unwilling to participate in the process, [the college may pursue the complaint](#), in which case the college shall be the Complainant.

Respondent

The "Respondent" is the student whose conduct is alleged to have violated this Policy and whose conduct is being investigated.

Investigator

The "Investigator" is an individual who has received specialized training in conducting sexual misconduct investigations, and has been assigned by the Dean of Students to investigate an alleged violation of this Policy. Investigators are neutral fact finders who, during the course of the investigation, typically conduct interviews with the Complainant, the Respondent, and third party witnesses; take custody of any physical or electronic records or documents to be included in an investigation report; visit and take photographs at each relevant site; and, where applicable, coordinate with Campus Police or other law enforcement agencies. Investigators prepare a written investigation report for the Dean of Students to use to determine whether to charge the Respondent with a violation of this Policy.

Advisor

An "advisor" is any individual who provides the Complainant or Respondent support, guidance or advice. The Complainant and Respondent may have the advisor of their choice present during any meeting or proceeding related to complaint resolution under this Policy. The Advisor's role in any meeting or proceeding is limited to requesting reasonable breaks to confer privately with the advisee. Advisors may not record the meetings or proceedings, take notes, ask questions, or otherwise actively participate in meetings or proceedings. At the student's request, the college will provide a list of trained staff and student advisors available to provide guidance and support to the student. Students are not required to choose an advisor from the list of trained staff and students.

Sexual Misconduct Board

The "Sexual Misconduct Board" or "Board" is composed of five members, one of whom shall be the Chair. The members are appointed by the President or delegate, and shall serve a renewable four-year term. Every effort will be made to maintain gender balance on the Board, and membership normally will be limited to full-time faculty and staff members. The Title IX Coordinator shall arrange for the Board members to receive annual training.

Chair

The "Chair" of the Sexual Misconduct Board shall preside over any meeting of the Board but shall not have a vote in the Board's deliberations. The Chair shall review the investigation report, statements made by the parties or witnesses, and other relevant materials gathered during the course of the investigation. The Chair determines whether the information is relevant and material to the determination of the charged violation(s) of this Policy and will redact (remove) information that is irrelevant, immaterial, more prejudicial than probative, repetitive, statements of reputation and personal or expert opinion.

Appeal Officer

The "Appeal Officer" is independent counsel selected by the college to consider appeals under this Policy.

Responsible Employee

A "responsible employee" is a college employee who is obligated to report incidents of alleged sexual misconduct to the Title IX Coordinator. Responsible employees include faculty, Student Life staff, Resident Life student staff members, Public Safety staff, coaching staff, supervisors of student employees, Title IX and Deputy Title IX Coordinators, the President and the Principal Executive Staff. A responsible employee who receives a report must report all relevant details about the alleged misconduct to the Title IX Coordinator, including the date, time, and location of the alleged misconduct, and the names of: the person who provided the report, the individual who experienced the alleged misconduct, the individual(s) accused of committing the alleged misconduct, any other students involved in the alleged misconduct.

Title IX Coordinator

As a recipient of Federal funds, Davidson College is required to comply with Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq. ("Title IX"). Title IX prohibits discrimination on the basis of sex in education programs or activities. Sexual Misconduct is a form of sex discrimination prohibited by Title IX. The "Title IX Coordinator" is responsible for overseeing the college's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator also has responsibility for weighing a student's request for confidentiality and determining whether interim measures and additional remedies are appropriate. The Title IX Coordinator is available to advise you about the courses of action available at the College and action available externally, including reports to law enforcement.

Davidson College's Title IX Coordinator is **Kathy Bray, Associate Dean of Students, Chambers 1255, (704) 894-2225, [kabray@davidson.edu](mailto:kabray@ davidson.edu)**.

Davidson College's Deputy Title IX Coordinators are:

Katy McNay, Assistant Director of Athletics for Compliance, Baker Sports Complex, (704) 894-2637, kamcnay@davidson.edu (In addition to complaints under this Policy, students may direct complaints regarding gender equity in athletics to Katy McNay)

Ann Todd, Associate Director of Human Resources, 11 Jackson Court, (704) 894-2214, antodd@davidson.edu (In addition to complaints under this Policy, any individual may direct Title IX complaints regarding employees to Ann Todd)

V. Reporting

Any individual who has been the target of sexual misconduct, stalking, or relationship abuse or violence is strongly encouraged to report the incident.

How to Report

The college provides the following options for reporting an act of sexual misconduct, stalking, or relationship abuse and violence. You are encouraged to report an incident even if you do not want to file a criminal report or initiate Davidson's internal complaint procedures: by reporting, the college can ensure you have access to counseling services, academic support services, and any other interim measures that are appropriate. Incident reports also provide information to help the college provide a safe and non-discriminatory environment for all members of the college community.

All non-confidential reports will be reported to the Title IX Coordinator, who will meet with you to review your options and all available resources. The college will limit disclosure of information included in a non-confidential report to those individuals involved in the college's response to the report and to legally required or permitted disclosures. This means only people who need to know will be told.

1. **Report to Campus Police.** Sexual assault (including rape), physical violence, and stalking are serious criminal acts and you are strongly encouraged to report criminal acts to the police. Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is your choice whether or not to make such a report and you have the right to decline involvement with the police.

The Davidson College Public Safety Office has staff trained in how to respond to a report of sexual misconduct, relationship abuse and violence, or stalking. If you prefer, you may request to speak to the Interpersonal Violence Officer (as of January 1, 2015, Assistant Chief Carolyn McMackin serves in this role). Campus Police can assist you with personal safety, seeking medical attention, preserving evidence, or filing a police report. Campus Police also can contact other on- and off-campus resources to assist you. Campus Police will record the report for Clery Act purposes, but shall do so without disclosing any personally identifiable information about the Complainant.

Campus Police Main Phone: 704-894-2178
Campus Police Office on Duty: 704-609-0344

2. **Report to Title IX Coordinator.** Davidson College has designated an Associate Dean of Students to serve as the Title IX Coordinator to oversee compliance with Title IX, which prohibits discrimination on the basis of sex in education programs or activities. Sexual misconduct is a form of sex discrimination prohibited by Title IX (as of January 1, 2015, Dean Kathy Bray serves in this role).

All reported incidents of sexual misconduct involving students are reviewed by the Title IX Coordinator. The Title IX Coordinator will provide you with a written explanation of your rights and options under this Policy, including resources and services available to you, your option to request assistance or interim measures and additional remedies, and an explanation of the college's internal complaint resolution procedures. The Title IX Coordinator also will report the alleged incident to Campus Police for Clery Act purposes, but may refrain from disclosing personally identifiable information about you to Campus Police at your request.

Dean Kathy Bray, Title IX Coordinator: 704-894-2225, kabray@ davidson.edu

3. **Report to a Responsible Employee.** Reports made to a Responsible Employee will be referred to the Title IX Coordinator for assessment. A Responsible Employee who receives a report must report all relevant details about the alleged misconduct to the Title IX Coordinator, including the date, time, and location of the alleged misconduct, and the names of: the person who provided the report, the individual who experienced the alleged misconduct, the individual(s) accused of committing the alleged misconduct, any other students involved in the alleged misconduct.

Responsible employees include faculty, Student Life staff, Resident Life student staff members, Public Safety staff, coaching staff, supervisors of student employees, Title IX and Deputy Title IX Coordinators, the President and the Principal Executive Staff.

Confidential and Protected Resources

Confidential Resources are those required to keep all information disclosed to them confidential within the legal and ethical bounds of their profession. At Davidson College, these individuals include:

- The counselors, doctors, and nurses at the Student Health Center
- The College Chaplains
-

Reports made to these individuals are strictly confidential and will not be referred to the Title IX Coordinator or Campus Police without your consent.

Protected Resources include the Student Health Educator. Ordinarily, reports made directly to the Student Health Educator may be made in confidence, meaning these reports will be shared with the Title IX Coordinator and Campus Police (for Clery Act reporting purposes) without identifying information and without triggering action by the college. Exceptions include when you give consent for identifying information to be reported or if the Student Health Educator determines imminent health or safety concerns outweigh your request to keep the report in confidence. (As of January 1, 2015, Georgia Ringle is the Student Health Educator.)

Protected Resources also include public awareness events such as "Take Back the Night." Information disclosed through a public awareness event is not considered notice of an act described in this Policy.

Amnesty Related to other Policy Violations

To encourage reporting of the acts prohibited by this Policy, the college will not subject an individual who reports an alleged incident of sexual misconduct, stalking, or relationship abuse and violence to disciplinary action for the individual's own minor policy violation, such as personal consumption of alcohol or drugs, at or near the time of the alleged incident, provided that any such violations did not place the health or safety of any other person at risk. The college may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or drug use. Further, the college may offer amnesty related to other policy violations revealed in the process of pursuing a formal complaint.

Options for the Reporting Person ("Complainant")

You are not required to take any action when you report a Policy violation, but if you choose to take action, your options include:

1. Filing a criminal report with campus police or local police;
2. Filing a formal complaint with the Dean of Students Office requesting that the college initiate its internal complaint procedures;
3. In appropriate cases, pursuing informal mediation of the complaint conducted by staff of the Dean of Students Office;
4. Requesting interim measures and additional remedies (for example, a no-contact order, alteration of class schedules or housing arrangements); and/or
5. Accessing available resources, including counseling.

Additional information about [initiating the college's internal complaint procedures](#) is set forth below.

If you do not want to pursue the college's internal complaint procedures, you may nonetheless (i) access support resources, such as counseling or, in appropriate cases, academic relief; and/or (ii) [request interim measures](#).

Informal mediation of a complaint is only available in appropriate cases. Informal mediation is never appropriate in cases involving allegations of nonconsensual sexual penetration or nonconsensual sexual contact. Both Complainant and Respondent must agree to engage in informal mediation, and either party can end the informal mediation process at any time, for any reason. Students must understand that anything said in this informal mediation may be used in either

criminal proceedings or the college's internal complaint procedures. The Dean of Students has the discretion to determine if it would be inappropriate to informally mediate any particular sexual misconduct complaint.

VI. College Investigation of Reports

The college is committed to taking appropriate action to resolve incidents of sexual misconduct, stalking, or relationship abuse and violence and to ensure a safe and non-discriminatory environment for all students.

The college will undertake an appropriate inquiry into all reports involving students, regardless of whether the Complainant wishes to pursue resolution of any kind. The specific steps in the college's inquiry will vary depending on the nature of the allegations; the information available to the college; whether the Complainant elects to pursue criminal charges, files a formal complaint, or requests the college not to pursue action; and other factors. A [full investigation](#) occurs only if a formal complaint is filed.

As a general rule, the college will not conduct an investigation or take any action without first obtaining the Complainant's consent, and will conduct any investigation and respond to a report consistent with the Complainant's request for confidentiality or request not to pursue action. The college's ability to respond to a report, to prevent its recurrence, or to address its effects may be severely limited if the Complainant requests confidentiality, does not provide the name of the Respondent, or asks that the report not be pursued.

Requests for Confidentiality

In cases where the Complainant requests confidentiality or requests the college not to take any action in response to a report, the [Title IX Coordinator](#) or designee will conduct a preliminary assessment into the alleged Policy violation and will balance this request with the college's commitment to providing a safe and non-discriminatory environment to all members of the college community. The Title IX Coordinator or designee will consider many factors when determining whether or not the college can honor the request for confidentiality or no action, including, but not limited to:

- The information provided suggests that the Respondent has committed prior acts and/or suggests an increased risk that Respondent will commit additional acts that would violate this policy or are otherwise violent acts;
- The information provided suggests that the act is part of a larger pattern at a specific location or by a particular group and thus there is an increased risk of future violations of this policy under similar circumstances;
- The alleged misconduct was committed by multiple perpetrators;
- The alleged misconduct was perpetrated with a weapon;
- The Complainant is a minor;
- The college has other means to obtain relevant evidence (e.g., security camera footage, physical evidence, additional witnesses);
- If the facts warrant issuance of a timely warning.

In appropriate cases, the college may be able to take steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against Respondent or reveal the identity of Complainant.

However, the Title IX Coordinator or designee may determine that, in the interest of providing a safe and nondiscriminatory environment, it is necessary for the college to act on information it has received. In that event, the Complainant will be informed of this determination before the college takes action in response to the report. The college's response will depend on the circumstances of the report, but could include: imposition of interim measures and additional remedies; and/or filing a formal complaint on behalf of the affected individual, in which case the college will be the Complainant. The college cannot withhold Complainant's name from the Respondent once the college takes action that affects the Respondent.

Interim Measures and Additional Remedies

Upon receipt of a report of an alleged Policy violation, the college may determine that "interim measures" are necessary to ensure a safe and nondiscriminatory environment for students. Similarly, at the conclusion of the complaint resolution

process, the college may determine that “additional remedies” are necessary to ensure a safe and nondiscriminatory environment for students. Interim measures and additional remedies are separate from any sanctions the Sexual Misconduct Board may impose during complaint resolution procedures and are not disciplinary in nature. They are imposed by the Dean of Students in consultation with the Title IX Coordinator and may be imposed at any time, regardless of whether formal disciplinary action is sought by Complainant or the college. They may be extended beyond and/or imposed after complaint resolution procedures are completed.

Requesting Interim Measures or Additional Remedies

Students seeking the assistance of interim measures or additional remedies should speak with the Title IX Coordinator, who will evaluate and, if warranted, will coordinate the request. Even when a student does not specifically request that protective action be taken, the college may choose to impose interim measures or additional remedies at its discretion to ensure a safe and nondiscriminatory environment for students.

The specific interim measures or additional remedies implemented and the process for implementing those measures will vary depending on the facts of each case. The Title IX Coordinator and the Dean of Students will consider, among other factors, the specific need expressed by the Complainant; the severity or pervasiveness of the allegations; any continuing effects on the Complainant; and whether the Complainant and Respondent share the same residence hall, class, or on-campus job location.

Possible interim measures and additional remedies include:

- No-contact order between Respondent and Complainant
- Limiting access to certain college facilities or activities (including “social probation”)
- Limiting access to campus to specific times of day
- Alteration of class schedules
- Alteration of on-campus housing arrangements
- Removal from on-campus housing
- Changing campus work schedules or job assignments
- Suspension from on campus employment
- Suspension from athletic teams or other student organizations
- Rescheduling of exams, papers, or other assignments
- Provisional suspensions or restrictions as provided in Extraordinary Disciplinary Powers of the President section of the student handbook
- Taking an incomplete in a class
- Authorized withdrawal from a class
- Alternative course completion options
- Voluntary leave of absence
- Access to counseling services
- Providing an escort to ensure safe movement between classes and activities
- Providing academic support services
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this Policy

Where Complainant and Respondent are members of the same organization or athletic team, the Title IX Coordinator and Dean of Students will consider ways to permit both students to continue participation, but when such compromise is not possible, the Dean of Students has the discretion to determine whether one or both students is restricted from participation.

Reporting Violations of Interim Measures and Additional Remedies

All individuals are encouraged to report concerns about failure of another individual to abide by restrictions imposed by an interim measure or additional remedy. Failure to abide by restrictions imposed by an interim measure or additional remedy is a violation of the Code of Responsibility.

Investigating Basis for Imposing Interim Measures

Interim measures can be imposed prior to investigation into a report. If a formal complaint has been filed, the interim measures will remain in place at least until the complaint resolution procedures are completed. If no formal complaint has been filed and the interim measures affect Respondent, the Dean of Students will assign an Investigator to investigate the allegations that led to the imposition of the interim measures (an "interim measures investigation"). At a minimum, this interim measures investigation will include an opportunity for Respondent to provide a statement in response to the allegations. [Note: if Complainant later files a formal complaint, an additional investigation into the allegations likely will occur. An interim measures investigation under this Section is for the limited purpose of determining the appropriateness of the interim measures.]

The Title IX Coordinator and Dean of Students will review the interim measures investigation report and will determine whether to keep the interim measures in place, whether additional interim measures are warranted, and the time period for their imposition. The Dean of Students will send written notice of this determination to Respondent and Complainant. Interim measures are subject to re-evaluation upon the conclusion of the time period for their imposition.

VII. Complaint Resolution Process

Filing a Formal Complaint

To initiate the college's internal complaint procedures, the Complainant must file a formal complaint with the Dean of Students. A formal complaint must include, at a minimum, the time, place, and type of Prohibited Act(s) alleged, a factual summary of the alleged incident(s), and the name of the Respondent.

Who May File

Any individual may file a formal complaint against a student for an alleged violation of this Policy. In the event the Title IX Coordinator determines the college must file a complaint on behalf of an affected individual who has requested confidentiality or is otherwise unable or unwilling to participate in the process, the college shall be the Complainant and the affected individual shall be considered a witness and will be entitled to receive all notifications due to Complainant under this policy, including notification regarding the outcome of the complaint resolution procedures are completed.

Notice of Investigation

Upon receipt of a formal complaint, the Dean of Students will determine whether the allegations in the formal complaint, if proven, would constitute a violation of this Policy. If the allegations would constitute a violation of this Policy, then the Dean of Students shall prepare a written Notice of Investigation which will include: the nature, time, and place of the alleged violations (including the specific prohibited acts alleged), the name and contact information of the Investigator, a statement regarding confidentiality of the process, and a statement on the policy which prohibits retaliation. The Dean of Students will provide both Complainant and Respondent with the written Notice of Investigation, and will also provide the parties with a copy of this policy, and a list of staff and students trained as advisors.

Respondent Acceptance of Responsibility

The Respondent may choose to accept responsibility for the alleged violation prior to, or during the course of, an investigation. If the Respondent chooses this option, the Respondent must submit a written statement accepting responsibility for the alleged violation and waiving all rights to an investigation, determination of responsibility by the Sexual Misconduct Board, and appeal on the ground of procedural error. In such cases, the Dean of Students, in consultation with the Title IX Coordinator and Chair, will determine the sanction(s) and will notify Respondent and Complainant of the sanctions in writing within three calendar days of receiving the Respondent's written statement accepting responsibility. By accepting responsibility, Respondent also accepts the Dean of Student's decision on sanctions as final and waives the right to appeal on the ground of procedural error.

Assistance of An Advisor

The Complainant and Respondent may have the advisor of their choice present during any meeting or proceeding related to complaint resolution procedures under this Policy, including meetings related to investigation of the formal complaint. The advisor's role is to provide support, guidance, or advice to the Complainant or Respondent. The advisor has no formal role in the complaint resolution process and cannot act on behalf of the Complainant or Respondent in relation to the complaint resolution process. The advisor's role in any meeting or proceeding is limited to requesting reasonable breaks to confer privately with the advisee. Advisors may not record the meetings or proceedings, take notes, ask questions, or otherwise actively participate in meetings or proceedings. The Complainant and Respondent may share with their advisor notices and information provided to them in relation to complaint resolution under this Policy, provided that the advisor shall keep such materials confidential unless the advisor is otherwise authorized to disclose the information contained therein.

While the college will make reasonable efforts to accommodate the schedule of a party's advisor in scheduling meetings, an advisor's inability to attend a meeting does not constitute an unavoidable conflict that would necessitate rescheduling a meeting or proceeding.

At the student's request, the college will provide a list of trained staff and student advisors available to provide guidance and support to the student. Students are not required to choose an advisor from the list of trained staff and students. Parties must provide the Dean of Students with notice of the identity of their advisor of choice prior to the advisor attending a meeting or proceeding under this Policy, ideally at least one calendar day in advance.

Investigation into Formal Complaint

Investigators

Investigators are individuals who have received specialized training in conducting sexual misconduct investigations. Investigators are neutral fact finders who, during the course of the investigation, typically conduct interviews with the Complainant, the Respondent, and third party witnesses; take custody of any physical or electronic records or documents to be included in an investigation report; visit and take photographs at each relevant site; and, where applicable, coordinate with Campus Police or other law enforcement agencies. Investigators prepare a written investigation report for the Dean of Students to use to determine whether to charge the Respondent with a violation of this Policy.

Investigators are authorized to contact any relevant individuals and to access any relevant records not otherwise prohibited by legal protections of privilege or confidentiality.

Depending on the circumstances, the Dean of Students may appoint a single Investigator or a team of Investigators to conduct the investigation. The Dean of Students may appoint as Investigators trained staff members or an external expert Investigator (generally an attorney). An external Investigator may be appointed in the event there are insufficient staff resources to investigate a complaint, there is a legitimate conflict of interest between the available staff Investigators and a party to the complaint, the complaint is particularly complex, or in any other case that the Dean of Students, in his or her discretion, deems it advisable.

Timeframe

The length of the investigation depends on the circumstances of each case, but the college will make every effort to complete an investigation in 30 calendar days.

In typical cases, the timeframe for the complaint resolution process (starting with the filing of a formal complaint and ending with the notice of the Sexual Misconduct Board's determination of whether a policy violation occurred), not including any appeals, will not exceed sixty (60) calendar days. In some circumstances—including, but not limited to, cases involving a parallel criminal process; cases involving multiple alleged Policy violations, Complainants, and/or Respondents; and when the complaint resolution process has to accommodate periods of time when the college is not in session—the timeframe for the complaint resolution process will exceed sixty (60) calendar days.

Investigation Procedures

The investigation will be conducted in a prompt, fair, thorough, and impartial manner. At a minimum, it will include obtaining information from the Complainant and Respondent and pertinent witnesses, and soliciting and reviewing documentation relevant to the investigation including available police reports.

The Complainant and Respondent will be asked to identify all information they would like the Investigator to review, including any witnesses they would like to be interviewed. Decisions about interviews and collection and evaluation of information are at the discretion of the Investigator. The Investigator may need to interview the Complainant and Respondent multiple times during the investigation. The Investigator will present the [pledge of confidentiality](#) to all individuals involved in the investigation.

Investigation Report

The Investigator will prepare a written investigation report, including as exhibits any relevant documentation.

The Investigator shall submit the investigation report and exhibits to the Chair for review. The Chair will redact (remove) information that the Chair determines is irrelevant or immaterial. Specifically, the Chair shall redact:

- Irrelevant information concerning sexual history, unrelated sexual activity, character, or incidents not directly related to the complaint (subject to the Chair's determination that the information demonstrates a [pattern of behavior](#));
- Statements of reputation or personal or expert opinion;
- Information that violates an individual's privacy right or that constitutes an unwarranted invasion of privacy;
- Information that is irrelevant, immaterial, more prejudicial than probative, or repetitive.

The Dean of Students will notify Complainant and Respondent in writing at the conclusion of the investigation whether, based on information gathered in the investigation, there are any additions or revisions to the policy violations alleged. If the investigation finds no factual basis for the allegations, the Dean of Students, in consultation with the Title IX Coordinator, may dismiss the allegations prior to resolution by the Sexual Misconduct Board and shall notify Complainant and Respondent of the dismissal in writing.

Review and Response to Investigation Report

After the Chair's review and redactions, if any, the Chair shall arrange for Complainant and Respondent to access the information separately in a private setting on campus (typically within three (3) calendar days). The parties may not make copies or take photographs of the information. Within one (1) calendar day of accessing the information, each party shall notify the Chair whether the party requests to meet with the Investigator for the purpose of responding to this information. The Investigator will record each party's responses to the information and submit a written report of the responses to the Chair. The party's meeting with the Investigator should occur within three (3) calendar days of the party's request to the Chair, and the Investigator shall submit the written report to the Chair within two (2) calendar days of the meeting. If new and relevant information is submitted during this review and response period, it will be shared with Complainant and Respondent and each will have an opportunity to respond to the new information via the Investigator within a time frame determined by the Chair. If the written reports of the parties' responses include information deemed by the Chair to be irrelevant or immaterial, the Chair shall redact (remove) the irrelevant or immaterial information prior to permitting the other party to access the information.

Following the review and response period (typically within three (3) calendar days after its conclusion), the Chair will issue the final investigation packet, comprising the investigation report and any exhibits thereto; the written reports of

the parties' responses, if any; written notices to the parties (notice of investigation, notice upon conclusion of investigation); and the formal complaint, to the Sexual Misconduct Board. The Chair shall notify Complainant and Respondent when the final investigation packet has been issued to the Board and shall arrange for Complainant and Respondent to access the information separately in a private setting. The parties may not make copies or take photographs of the information.

Complaint Resolution Procedures

Board review of final investigation packet

The Sexual Misconduct Board determines whether a policy violation occurred and imposes sanctions for policy violations as appropriate. The Board will review the final investigation packet and may request any additional relevant information from the Investigator or third parties. The parties will have the opportunity to access any such requests for additional relevant information and any information produced in response to such requests prior to the Board's determination of whether a policy violation occurred. The parties may not make copies or take photographs of the additional relevant information.

Impact Statement and Mitigation Statement

The Complainant has an opportunity to submit a written impact statement, and the Respondent has an opportunity to submit a written statement in mitigation or extenuation. These statements shall not exceed two (2) pages and should be submitted to the Chair no later than three (3) calendar days after the Chair issues the final investigation packet. These statements would only be reviewed by the Board and made part of the record if the Board determines that a policy violation occurred. In that event, the statements would be reviewed by the Board in determining sanctions as described below. If either the impact statement or mitigation statement include information deemed by the Chair to be irrelevant or immaterial, the Chair shall redact (remove) the irrelevant or immaterial information prior to distributing to the Board.

Conference

The Board may hold a conference with Complainant, Respondent, and the Investigator upon the request of any Board member, Complainant, or Respondent. Requests for a conference should be made as soon as possible after the final investigation packet is issued, but in any event no later than three (3) calendar days thereafter. At Complainant's request, the Chair will arrange for Complainant to participate in the conference outside the presence of the Respondent (e.g., by using a room divider, using separate conference rooms, using technology such as Skype).

The focus of such conference will only be to clarify information presented in the investigation report. The Board will not receive new evidence not included in the report. Previously unavailable relevant information should be brought to the attention of the Chair, who will determine whether the information will be considered by the Board.

Board members may ask questions of the Complainant, Respondent, or Investigator, and Complainant and Respondent each may make a statement to the Board to clarify information presented in the investigation report. If either Complainant or Respondent does not appear at the conference, after confirmation by the Chair that the party was duly notified of the date and time of the conference, the conference will proceed and the party who failed to appear will be deemed to have waived the right to timely and equal access to information from the conference that the Board uses in the complaint resolution process.

Determination of Responsibility

The Board will apply a preponderance of evidence standard when arriving at a determination of whether a policy violation occurred. The Board will meet in executive session and will base its determination solely on information presented as part of the complaint resolution process. Board members may properly consider as evidence of violation that the Respondent has refused to cooperate in the investigation if there is other information to support the alleged policy violation. A majority of the Board must concur in the determination that a policy violation occurred.

Imposition of Sanctions

If the Board determines a policy violation occurred, the Board will impose sanctions and in determining sanctions, the Board will attempt to fairly fit the sanction to the violation seen in total context. For example, a fairly severe sanction might appropriately be imposed for a relatively minor violation which has been persistently repeated despite formal warning, while a relatively minor sanction might appropriately be imposed for a serious violation when substantial extenuation is shown.

Prior to making a determination on sanctions, the Chair shall distribute to the Board: (i) any written impact statement or mitigation statement; and (ii) any items from Respondent's files deemed appropriate by the Dean of Students for the Board's consideration of the appropriate sanction(s), if any, to be imposed. These items could include, but not be limited to: prior disciplinary records, criminal records, police reports, and/or interim measures imposed.

A majority of the Board must concur in the decision to impose any particular sanction. This policy includes a [list of possible sanctions](#). In addition to sanctions imposed by the Board, the Dean of Students may impose new or continuing interim measures and additional remedies designed to ensure a safe and nondiscriminatory environment for students.

Notice of Action

The Chair shall distribute to Respondent a notice of the Board's determination of whether a policy violation occurred (including the specific prohibited acts alleged and the Board's determination of responsibility for each alleged prohibited act), the rationale for the decision, and the sanctions imposed, if any. The Chair shall concurrently provide a copy of the Notice of Action to Complainant, with any redactions as required by federal law. The Chair will make every effort to conclude the complaint resolution process and distribute the Notice of Action within two calendar weeks of distributing the final investigation packet to the Board.

Record of Conference

The Chair shall prepare a written digest of the conference for the purpose of preserving a record of the conference proceedings in the event of an appeal. The Chair shall include as an exhibit to the written digest any materials distributed to the Board prior to a determination on sanctions (that is, any written impact statement or mitigation statement; and a copy of the items from Respondent's file considered by the Board in determining appropriate sanctions, if any). The Chair shall provide an opportunity for Complainant and Respondent to access the written digest and exhibit (if any) separately in a private setting at least two (2) calendar days prior to the deadline for filing an appeal. The parties may not make copies or take photographs of the written digest and exhibit (if any).

Final Determination

The determination by the Sexual Misconduct Board both as to the fact of violation and as to the sanction(s) to be imposed, are finally dispositive of the complaint resolution process subject only to the rights of the parties to appeal as provided below. Whether or not the Board determines a policy violation occurred, and in addition to any sanctions imposed by the Board, the Dean of Students, in consultation with the Title IX Coordinator, may impose new or continuing [additional remedies](#) designed to ensure a safe and nondiscriminatory environment for students. In the event the Board determines the Respondent is not responsible for the alleged policy violation, the college may continue to provide additional remedies for Complainant so long as those remedies do not unduly burden or prejudice Respondent.

Sanctions and Additional Remedies

If the Board determines no policy violation occurred, then no sanction will be recommended. If the Board determines a policy violation occurred, the Board will impose sanction(s) and in determining sanctions, the Board will attempt to fairly fit the sanction to the violation seen in total context.

List of Sanctions

Possible sanctions include:

- **Warning:** Notice, oral or in writing, that continuation or repetition of conduct in violation may be cause for more severe disciplinary sanctions.
- **Censure:** A written reprimand, which may include warning of more severe disciplinary sanction in the event of determination of a subsequent violation within a stated period of time.
- **Apology:** Oral or written apologies to persons or groups upon whose rights the Respondent may have infringed.
- **Mandatory educational programming:** for alcohol or drug-related misconduct.
- **Loss of status in housing lottery.**
- **Eviction:** removal from on-campus housing.
- **Social Probation:** exclusion from participation in privileged or extra-curricular activities for a period not exceeding one year. Social Probation may be extended to all activities, including campus social events, Patterson Court functions sponsored off campus, participation in college athletics (varsity, club, or intramural), attendance at sports events, and eating house, sorority, or fraternity activities. Violation of this policy, the Code of Responsibility, or the Honor Code during the period of probation will normally result in suspension from the college.
- **Restricted Access:** limiting campus access to certain areas of campus and/or specific times of day
- **Suspension for a definite period of time:** Exclusion from classes and other privileges of activities with forfeiture of academic credit, as set forth in the notice of action, for a definite time, beginning immediately. If suspension is for more than one term, the suspension shall begin immediately and shall be served in consecutive terms.
- **Indefinite suspension:** Termination of student status, subject only to formal readmission, with no right to petition for readmission before the expiration of one calendar year from the date of suspension.

When students are suspended they shall ordinarily leave campus within forty-eight hours after conclusion of the complaint resolution process. A suspended student shall not come on campus without the permission of the Dean of Students.

In the event that social probation is imposed during the student's senior year and the probationary period extends beyond the date of commencement, the student shall not be eligible for a degree until the end of the probationary period.

Failure to comply with sanctions imposed will ordinarily result in harsher sanctions, including suspensions.

Stay of sanctions pending appeals

If the decision of the Sexual Misconduct Board is appealed, sanctions are stayed until the matter has been finally disposed of within these procedures; provided, however, that:

- If a sanction of suspension is appealed, the Respondent is restricted during the appeal period to academic involvements only. Thus, the continuation of participation in privileged or extra-curricular activities is not permitted during the appeals process. A reversal of the sanction of suspension on appeal may allow for reinstatement at the discretion of the appeal officer.
- If a sanction of suspension is appealed and the sanction upheld, the effect of the suspension shall be as of the date imposed by the Sexual Misconduct Board.
- If a sanction of social probation is appealed and the sanction upheld, the term of the probationary period shall begin when the appeal concludes.
- The Dean of Students, in consultation with the Title IX Coordinator, may impose additional remedies, including additional remedies that reflect the sanctions, while the appeal is pending to ensure a safe and non-discriminatory environment for students.

VIII. Appeals

Grounds for Appeal

Either Complainant or Respondent can appeal the finding of the Sexual Misconduct Board or the sanctions imposed on the following grounds:

- (i) procedural error that had a material impact on the fairness of the complaint resolution process; or
- (ii) the sanction is substantially disproportionate to the findings.

Previously unavailable relevant evidence that could significantly impact the result of the Board's determination must be brought to the attention of the Chair within five (5) calendar days of receiving the written Notice of Action. In that event, the Chair will reconvene the Board to determine whether the information would have affected the result.

Filing an Appeal

Appeals must be filed with the Dean of Students within five (5) calendar days of receiving the written Notice of Action. Appeals are made in writing and must state in detail the reasons for the appeal. Appeals shall not exceed five (5) pages.

Upon receipt of a written appeal, the Dean of Students will forward the appeal and the record on appeal to the appeal officer and the Chair. The record on appeal comprises all materials reviewed by the Sexual Misconduct Board, the written digest of the conference and exhibits (if any), and the Notice of Action. The Dean of Students shall provide an opportunity for Complainant and Respondent to access the appeal and the record on appeal separately in a private setting. The parties may not make copies or take photographs of the information.

Appeal Procedures

Appeals are heard by independent counsel selected by the college, called the appeal officer. The appeal officer ordinarily will decide within five (5) business days of receiving the record on appeal whether the appeal states sufficient grounds to be considered. If it does not, the appeal officer will dismiss the appeal.

If the appeal officer finds the appeal states sufficient grounds, the appeal officer will invite the Chair to respond in writing. When an appeal is requested by Respondent, the appeal officer will invite the Complainant to respond in writing. When an appeal is requested by Complainant, the appeal officer will invite the Respondent to respond in writing. Written responses shall not exceed five (5) pages. The appeal officer shall provide copies of the written responses to the Dean of Students and the Chair, and shall provide an opportunity for Complainant and Respondent to access the written responses separately in a private setting. The parties may not make copies or take photographs of the information.

The appeal officer may, in the appeal officer's discretion, choose to call a conference with Complainant, Respondent, and the Chair before making a decision on appeal.

The appeal officer considers the appeal solely on the information in the appeal, the record on appeal, and the written responses, and shall not consider any new evidence. The appeal officer will not substitute the officer's own judgment for that of the Sexual Misconduct Board.

Actions Available on Appeal

The appeal officer may:

- Uphold the determination of the Sexual Misconduct Board.
- Reduce or increase the sanction(s) to one(s) deemed more appropriate than those imposed;

- Remand the matter to the Sexual Misconduct Board where a procedural irregularity could be corrected by the Board.
- Remand the matter to an ad hoc review panel composed of trained individuals not involved in the matter. This action will only be taken in extraordinary cases, when the appeals officer determines the matter would be best addressed by a newly-constituted panel.

Notice of Outcome

The appeal officer ordinarily will provide a written notice of outcome within seven (7) calendar days of the decision to consider the appeal, and this decision is finally dispositive of the matter. The Notice of Outcome will be distributed to Complainant, Respondent, and the Chair with any redactions as required by federal law.

IX. Retaliation

No person shall be subject to restraints, interference, coercion, or reprisal for action taken in good faith to seek advice concerning an alleged violation of this policy, to file a report, to initiate the college's internal complaint resolution process, or to serve as a witness, Board member, or representative in the investigation and resolution of a complaint. Acts or threats of retaliation are a violation of the Code of Responsibility and will be investigated and adjudicated accordingly.

X. Additional Policy and Procedure Information

Jurisdiction and Scope

This policy applies to the on-campus conduct of all students. It also applies to off-campus conduct of students that, in the College's judgment, involves or affects the College or other members of the College community, such as conduct in connection with:

1. Academic work or other Davidson-related educational activities and experiences, such as class projects, field trips, study abroad, or internships;
2. Activities sponsored, conducted, or authorized by the College or its student organizations; or
3. Activities that cause or threaten harm to the health, safety, or well-being of the College or members of the College community.

This policy applies to all such conduct by a student while a student, even if it occurs outside of an academic term or when the student is not otherwise present at Davidson College. Moreover, the College continues to have authority to initiate or continue administration of this policy with respect to any such conduct by a student while a student even if, after a formal complaint is filed, the student withdraws, takes leave, or is otherwise absent from Davidson College.

Rights of Student Parties

Complainant and Respondent have the following common rights:

- A prompt, fair, and impartial complaint resolution process, meaning a process that:
 - Is completed within reasonably prompt timeframes;
 - Is conducted in a manner that is consistent with this Policy;
 - Includes timely notice of meetings at which the parties may be present;
 - Provides timely and equal access to information that will be used during the complaint resolution process; and
 - Is conducted by individuals who do not have a conflict of interest or bias for or against the Complainant or Respondent
- Equal opportunities to have the advisor of the party's choice present during any meeting or proceeding related to complaint resolution procedure under this Policy, including meetings related to investigation of the formal complaint;

- Written notification of the result of the complaint resolution process (subject to any redactions required by federal law);
- An outcome based solely on information presented as part of the complaint resolution process;
- To not be subject to acts or threats of retaliation for action taken in good faith as part of the complaint resolution process;
- To not be required to take any reviews or examinations during the complaint resolution process (from the receipt of the Notice of Investigation until two calendar days after the Notice of Action is delivered);
- To decline to make statements, provide testimony, or attend meetings or proceedings related to the complaint resolution procedure under this Policy; provided, however:
 - - Failure to appear at the Board conference is deemed a waiver to the right to timely and equal access to information used during the complaint resolution process;
 - Board members may properly consider as evidence of violation that the Respondent has refused to cooperate in the investigation if there is other information to support the alleged policy violation;
- Preservation of privacy, to the extent possible and allowed by law;
- Access to support from the counseling center staff and the college chaplain's office.

Complainant has the following additional rights:

- Implementation of interim measures and additional remedies that reduce the burden on Complainant but do not unduly burden or prejudice Respondent;
- To request that the Title IX Coordinator evaluate the need for interim measures and additional remedies;
- Notice that the Title IX Coordinator has determined the college must act on information received in cases where the Complainant has requested confidentiality or that the college not take action;
- To provide information at any step of the procedures outlined in this Policy outside the presence of the Respondent.

Respondent has the following additional rights:

- An investigation into the allegations that for the basis for the college's imposition of interim measures and additional remedies;
- To waive Sexual Misconduct Board proceedings by accepting responsibility for the alleged violation prior to, or during the course of, an investigation.

Securing Witnesses

Investigators are authorized to contact any relevant individuals to request that they participate in the investigation, including responding to requests for additional information from the Sexual Misconduct Board.

Pledge of Honesty; Malicious and False Accusations

All witnesses to an investigation, including the parties, shall pledge in writing to present honest testimony. A student who does not present honest testimony may be formally accused of lying as an Honor Code violation. Filing a formal complaint (for Complainant) or denying responsibility (for Respondent) will not in itself subject the party to an Honor Code charge for lying, regardless of the Board's determination whether a policy violation occurred. An allegation which is both false and brought with malicious intent is a violation of the Honor Code.

Pledge of Confidentiality

All aspects of the complaint resolution process shall be confidential, including information provided as part of the process, and all persons participating in the complaint resolution process shall pledge in writing to maintain in confidence all matters presented in the process. Provided, however:

- The college is authorized to disclose information as set forth in this policy;
- Parties may disclose information to their advisors and other personal support persons (e.g., family members, counselors or physicians, spiritual advisors) and legal counsel;
- The confidentiality pledge does not extend to information that an individual has a legal right to disclose.

Violations of the pledge of confidentiality may result in disciplinary action under the Code of Responsibility.

Disclosure of Information

The college will limit disclosure of personally identifiable information presented as part of the complaint resolution process to those individuals involved in the college's process and other legally required or permitted disclosures. Appropriate college officials (including, but not limited to, the Title IX Coordinator, the Dean of Students, the Chair of the Sexual Misconduct Board, the Investigators assigned to the complaint, the appeal officer, the President, the General Counsel) shall have access to information presented as part of the complaint resolution process.

Publication of Outcomes

In addition to the information contained in the college's annual security report, the college will publish annually a three-year summary including the number of sexual misconduct reports received by the Title IX Coordinator, the number of sexual misconduct complaints filed with the Dean of Students Office, and the outcome of complaints filed (including the finding and sanctions, if any). The three-year summary will not include the names of any students. Any interim measures or additional remedies imposed will be reported in the aggregate.

Summary of Timelines for Complaint Resolution Procedures

In typical cases, the timeframe for the complaint resolution process (starting with the filing of a formal complaint and ending with the notice of the Sexual Misconduct Board's determination of whether a policy violation occurred), not including any appeals, will not exceed 60 calendar days:

- The Dean of Students provides Notice of Investigation to Complainant and Respondent ordinarily within three (3) calendar days of receiving a formal complaint.
- The parties provides notice of the identity of their advisor ideally at least one (1) calendar day in advance of the advisor attending a meeting or proceeding under this Policy.
- The college will make every effort to complete an investigation in 30 calendar days. At the conclusion of the investigation, the Dean of Students will provide notify the parties whether, based on information gathered in the investigation, there are any additions or revisions to the policy violations alleged.
- The Chair shall arrange for the parties to access the information in the investigation report typically within three (3) calendar days of the Chair's review and redaction of the investigation report.

- Within one (1) calendar day of accessing the information, each party shall notify the Chair whether the party requests to meet with the Investigator for the purposes of responding to this information. The parties' meetings with the Investigator should occur within three (3) calendar days of the request to the Chair. The Investigator then has two (2) calendar days to submit a written report of the parties' responses to the Chair.
- Within three (3) calendar days of the end of the review and response period, the Chair notifies the parties that the final investigation packet has been issued to the Board and provides an opportunity for the parties to access the information in the final investigation packet.
- The parties have up to three (3) calendar days after the final investigation packet is issued to request a conference with the Board and to submit a written Impact Statement or Statement in Mitigation to the Chair.
- The Chair will make every effort to conclude the complaint resolution process and distribute the Notice of Action within two (2) calendar weeks of issuing the final investigation packet to the Board.
- Previously unavailable relevant evidence that could significantly impact the result of the Board's determination must be brought to the attention of the Chair within five (5) calendar days of receiving the written Notice of Action.
- Appeals must be filed within five (5) calendar days of receiving the written Notice of Action. The Chair shall provide an opportunity for the parties to access the written digest of the conference and exhibits (if any) at least two (2) calendar days prior to the deadline for filing an appeal.
- The appeal officer ordinarily will decide within five (5) business days of receiving the record on appeal whether the appeal states sufficient grounds to be considered.
- The appeal officer ordinarily will provide a written notice of outcome within seven (7) calendar days of the decision to consider the appeal.

There is no deadline by which a Complainant must file a formal complaint, and the fact that there was a delay between the alleged policy violation and the filing of a formal complaint is irrelevant to the Board's determination whether a policy violation occurred. However, a delayed filing can affect the college's ability to gather information related to the alleged policy violation and may affect the college's jurisdiction to administer this policy.

Concurrent or Subsequent Legal Proceedings

The college's Policy, definitions, and standard of review differ from North Carolina criminal law. Neither law enforcement's determination whether to prosecute the Respondent nor the outcome of any criminal prosecution is determinative of whether a violation of this Policy has occurred. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.

This complaint resolution process is separate from any criminal proceedings or civil litigation. Students must understand that information provided as part of the complaint resolution process may be used in criminal proceedings or other legal proceedings.

In the event there is a criminal investigation involving acts that are alleged violations of this policy, the college will fulfill its responsibility to take prompt and appropriate action to provide interim measures and resources to the Complainant. The college will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation and may need to delay temporarily an investigation under this policy while law enforcement is in the process of gathering evidence. Once law enforcement has completed its gathering of evidence, the College will resume and complete its investigation. If the Complainant wishes to file a formal complaint under this policy while criminal proceedings are

pending, or if the Title IX Coordinator determines that the college must file a formal complaint, the college will not wait for the conclusion of the criminal case to proceed with the disciplinary process.

Individuals who report an alleged violation of this policy shall be informed that they may request that a Davidson College campus police officer be present during a meeting with the Title IX Coordinator or an Investigator so that they can simultaneously provide a statement for campus police and for the college's Title IX investigation.

Delegation

Whenever an action may be or is required to be taken under this policy by the Dean of Students, the action may be taken by the Dean's designee. Whenever an action may be or is required to be taken under this policy by the Title IX Coordinator, the action may be taken by the Title IX Coordinator's designee.

Deviations, Extensions, and Delays

Reasonable deviations from these procedures by the college will not invalidate a decision or proceeding unless significant prejudice to a student is caused by such deviation. While the college will make every effort to complete actions within the stated timelines, the college may extend timelines for good cause and with written notice to Complainant and Respondent that explain the reason for the extension or delay.

Accommodations for Persons with Disabilities

The College will make appropriate arrangements to ensure that students with disabilities are provided reasonable accommodations as needed to participate in this process. Requests for accommodations must be made to the College's 504/ADA Coordinator (as of January 1, 2015, Dean Kathy Bray serves in this role). The 504/ADA Coordinator will review the supporting disability related documentation, make a decision about the request, notify the student about approved accommodations and make arrangements for the accommodations. Accommodations may include, but are not limited to, providing interpreters for the deaf, providing recordings of materials for the blind, and assuring a barrier-free location for the proceedings.

Training

College officials involved in the complaint resolution process shall receive annual training on this policy and issues related to sexual misconduct, including how to conduct a complaint resolution process that protects individuals who are targets of sexual misconduct and that promotes accountability. Investigators will receive annual training on how to conduct an investigation.

XI. Procedures for Specific Circumstances

Information Concerning Unrelated Sexual Activity

Information concerning the unrelated sexual activity of Complainant is irrelevant and shall not be considered in the complaint resolution process except in the case that the Chair determines there is relevant information regarding sexual activity between Complainant and Respondent.

Information concerning the unrelated sexual activity of Respondent is irrelevant and shall not be considered in the complaint resolution process except in the case that the Chair determines the information alleges behavior that is sufficiently similar in nature to suggest a pattern of behavior. Information that suggests a pattern of behavior may be considered in the complaint resolution process regardless of whether Respondent was formally charged with a violation of this Policy; except if Respondent was formally charged and the Board did not find that a policy violation occurred, then information related to that charge shall not be considered in the complaint resolution process.

Multiple Complaints Filed

If more than one Complainant files a formal complaint against Respondent before the complaint resolution process for the initial complaint has been completed, the Chair shall have the discretion to determine the process for resolving multiple complaints, including the discretion to alter timelines.

Multiple Respondents

In the event the complaint involves more than one Respondent, the Chair shall have the discretion to determine the process for resolving the complaint against multiple Respondents.

Violation of Interim Measures Prior to Determination

If, prior to the Sexual Misconduct Board's determination of responsibility, the Dean of Students receives information that indicates the Respondent has violated the terms of interim measures and additional remedies imposed, the Dean of Students may take any of the following actions:

- Impose new interim measures on Respondent.
- Charge Respondent with a violation of the Code of Responsibility.
- Prepare a written report for the Sexual Misconduct Board concerning the alleged violation. Where appropriate, the Dean of Students will further investigate the allegations prior to preparing the report. The written report will be included in Respondent's files and, in the event the Board determines a policy violation occurred, would be considered by the Board in determining appropriate sanction(s) to be imposed.

Conflicts of Interest

Investigators and Sexual Misconduct Board members with disclosed conflicts of interest or demonstrated bias for or against a student-party shall not be assigned to investigate or determine responsibility for an alleged policy violation. Examples of a conflict of interest include: a student-party currently enrolled in a course taught by a faculty member of the Board; a student-party in a formal counseling relationship with an Investigator or Board member; or where an Investigator or Board member currently supervises the student-party's academic work, college student employment, or athletic or other educational programming.

Investigators and Board members deeming themselves disqualified for reasons of bias or interest shall remove themselves from the matter or may be removed by the Dean of Students or Chair. A party may petition the Dean of Students for removal of an Investigator; and may petition the Chair for removal of any member of the Board; on the basis of a conflict of interest or demonstrated bias.

Any faculty vacancies occurring on the Sexual Misconduct Board while a contested matter is to come before it shall be filled by the Faculty Executive Committee, which shall appoint disinterested members of the full-time teaching Faculty to fill such vacancies. Any staff vacancies occurring on the Sexual Misconduct Board while a contested matter is to come before it shall be filled by the President, in consultation with the Dean of Students, who shall appoint disinterested members of the full time staff to fill such vacancies.

Scheduling Meetings and Proceedings

The Complainant and Respondent shall receive timely notice of any meeting or proceeding at which they may be present. The college will make reasonable efforts to schedule meetings and proceedings at times convenient to the parties. Meetings and proceedings will not be scheduled at a time when a party has an unavoidable conflict with a required academic obligation (e.g., classes, labs). An advisor's inability to attend a meeting does not constitute an unavoidable conflict that would necessitate rescheduling a meeting or proceeding.

Respondent Withdrawal

Should a Respondent choose to withdraw or take leave from the college after a formal complaint is filed but before final disposition of the matter, the college may continue to administer this policy or, in the alternative, the college may make note in the student's disciplinary records that charges under this Policy were pending at the time of withdrawal.

Additional or Revised Charges

If the investigation produces information that indicates either that (i) there is evidence of additional policy violations that would constitute new or revised charges; or (ii) there is no factual basis for the allegations in the formal complaint, the

Investigator shall notify the Dean of Students. Upon review of the information, the Dean of Students may revise the Notice of Investigation to include the new or revised charges. In the event there is no factual basis for the allegations, the Dean of Students may dismiss the matter prior to resolution by the Sexual Misconduct Board.

Jurisdiction over Related Charges

The Sexual Misconduct Board has the authority to consider any charge under the Code of Responsibility that is related to an alleged violation of this Policy. The Dean of Students has the discretion to determine whether any such related charge will be considered by the Sexual Misconduct Board pursuant to these procedures or by judicial proceedings under the Code of Responsibility.

Confrontation

Complainant has the right to provide information at any step of the procedures outlined in this Policy outside the presence of the Respondent. At Complainant's request, the conference with the Board or appeal officer may be conducted in a room with a room divider or screen, or with the assistance of technology such as Skype.

Counter Appeals

If both parties file appeals, the appeal officer shall have the discretion to determine the process for resolving counter appeals, including the discretion to alter timelines.

Petition for readmission

A student who has been suspended for an indefinite period pursuant to this Policy may petition in writing for readmission to the Faculty Executive Committee, with no right to petition for readmission before the expiration of one calendar year from the date of suspension. This petition will be submitted to the Dean of Students. The Faculty Executive Committee may, when possible, consult with members of the Sexual Misconduct Board who heard the student's

Extraordinary Disciplinary Powers of The President

A. Declaration of Emergency

The President may declare a state of emergency in the event of disruption on the campus of an order which threatens the minimal internal security of the campus or the continuation of its normal educational processes. In doing so he or she may initially suspend these procedures in whole or in part for a period of three (3) days in his/her sole discretion. Thereafter he or she may extend the suspension for additional periods not exceeding five (5) days after consultation with the Student Conduct Council. The initial declaration and any continuations shall be publicized by all appropriate means.

B. Provisional Indefinite Suspensions

During the continuation of any such declared emergency, the President may on his/her sole initiative provisionally suspend for an indefinite period any student whose continued presence on campus is judged by him/her to constitute a specific and immediate threat to the physical well-being of other members of the College community or to the continuation of its normal educational processes. The student may, in writing, petition the Review Board to end the suspension. Such a petition may be no sooner than three (3) days after the provisional suspension was enacted. If he/she is not re-instated by the Board, he/she may only be reinstated through the normal procedures for re-admission to the College.

C. Provisional Suspension or Restrictions Without a Declaration of Emergency

The Dean of Students, without the declaration of a state of emergency by the President, may on his/her sole initiative (a) provisionally suspend, for a period not to exceed five days, any student whose continued presence on campus is judged by him/her to constitute a specific and immediate threat to the physical well-being of other members of the College community or to the continuation of its normal educational processes or (b) impose, for a period not to exceed five days, lesser restrictions (such as social probation, exclusion from campus except during certain hours or for certain purposes, removal from the residence hall or restrictions on access to particular buildings or part of

campus); provided that the Dean may not suspend or restrict the activities of a student pursuant to these provisions unless the Dean has determined that disciplinary proceedings are reasonably likely to be initiated against the student in accordance with Part III. If disciplinary proceedings are not initiated within the period of suspension, the suspension shall terminate. If disciplinary proceedings are initiated within the period of suspension, at the discretion of the Dean, the suspension may be extended until the hearing.

D. Summary Procedures of Traffic Violations

The President of the College may in his discretion promulgate a summary procedure for the disposition of violations of traffic regulations in lieu of the formal procedures provided in preceding sections of this Part III.

Disciplinary Records

A. Separate from Academic Records Custody

All records pertaining to disciplinary proceedings in which a student is charged with a violation shall be kept separate from academic records. The Dean of Students shall be sole custodian of all records involving disciplinary proceedings. To this end, all records made or considered by the Honor Council, the Sexual Misconduct Board, the Judicial Committee and the Review Board in disciplinary proceedings before them shall be transmitted immediately upon completion of their proceedings to the Dean for custody. The Honor Council, the Sexual Misconduct Board, the Judicial Committee and the Review Board may make and retain abstracts of their proceedings as aids to the development of precedent, but such abstracts shall be rendered anonymous. The Student Conduct Council shall inspect the records of the Honor Council, the Sexual Misconduct Board, the Judicial Committee, and the Review Board to confirm their anonymity.

B. Accessibility

All disciplinary records shall be accessible as a matter of course only to the affected student (both during and after his/her enrollment), the Dean, and the President of the College. Except under order of court, or when authorized in writing by the student affected, no officer, faculty member, employee, or student may divulge to any other person than to those with access as a matter of course the contents of any student disciplinary record. When authorized in writing by the student affected, the Dean may divulge abstracts of disciplinary proceedings then held in his/her files showing dates, charges, and dispositions. Previous disciplinary records for the student affected are made available to the Honor Council, the Judicial Committee or the Sexual Misconduct Board during a hearing after a finding of guilt but before the imposition of sanctions. This practice allows members to attempt fairly to fit the sanction to the violation seen in the total context of the student's behavior at Davidson College.

C. Periodic Destruction

All records of disciplinary proceedings which result in dismissal of the charge or finding of no violation shall be destroyed immediately after termination of the proceeding.

- Records of suspension (Definite or Indefinite) will be maintained indefinitely.
- Records of all other sanctions will be destroyed five years after the student graduates.
- The disciplinary proceeding records of students who have withdrawn from the college will be destroyed five years after such withdrawal unless the record indicates a prior suspension, in which case the record will be maintained indefinitely.

Release of Student Information

The Family Educational Rights and Privacy Act (FERPA) of 1974 restricts access to and disclosure of information from students' education records without the written consent of the student except in certain instances permitted under the

Act. "Directory Information" will be disclosed without the student's prior written consent unless the student has notified the Office of the Registrar to restrict release of that information. In accordance with provisions of the Act, Davidson provides Directory Information in various College publications including the Davidson College Directory, the Davidson College Official Record (commonly known as the catalogue), and various publicity and information publications of the Athletic Department. "Directory Information" is defined as:

- student name
- home address
- email address
- local, home, and e-mail addresses
- local, home, and mobile telephone number
- photographs, and videos
- eating house affiliation
- enrollment status and class
- major field of study(to include minors and interdisciplinary minors)
- dates of attendance
- degrees, honors, and awards received
- the most recent educational agency or institution attended by the student
- participation in officially-recognized activities and sports
- weight and height of members of athletic teams
- anticipated degree and degree date

Please note that such information as parents' names and addresses, date and place of birth, course schedule, grades and grade-point average are not Directory Information and will not be released without the written consent of the student.

Students may withhold the release of Directory Information by notifying the Registrar in writing no later than seven days after the beginning of classes each semester. Following receipt of such notification, the college will not give the information to outside sources nor print it in its published directories unless they are already in the final stages of preparation. The information remains available for internal use within the faculty and administration. A request for non-disclosure of Directory Information will be honored for only one academic year or portion thereof. Therefore, authorization to withhold Directory Information must be filed annually.

Weapons Policy

Davidson College strictly prohibits possession of weapons of any type by students, employees and visitors on all college property, including guns, both concealed and visible, and without regard to the validity of any permits. Also included are knives, explosives or any other deadly object. Violators are subject to expulsion, termination, criminal prosecution or any combination of sanctions. Any violation of this policy should be reported immediately to the Campus Police (x2178).

Alcohol & Drug Abuse

Philosophy

The primary purpose of Davidson College is to assist students in developing humane instincts and disciplined and creative minds for leadership and service. All members of the academic community--students, faculty, and staff--share the responsibility for preserving an environment that enables these pursuits and all are expected to exemplify high standards of professional and personal conduct. The illegal or abusive use of drugs or alcohol by members of the academic community adversely affects this educational environment.

Davidson College shall take all actions necessary and consistent with state and federal law and college policy to eliminate the illegal use of drugs, including alcohol, within the Davidson community. In keeping with its mission, Davidson College will utilize educational strategies as its major approach to this problem; however one should be aware that any member

of the college community who uses illegal drugs or abuses any drug, including alcohol, might be subject to prosecution and punishment by civil authorities and to disciplinary proceedings by the college. Trafficking in illegal drugs is particularly offensive and the penalties reflect this judgment. Nevertheless, this policy does not seek punitive punishment for those who seek rehabilitation. All information provided by those who voluntarily avail themselves of drug or alcohol counseling or rehabilitation services will be confidential.

Davidson College Alcohol Policy

Davidson College expects to operate in accordance with the laws of the State of North Carolina (see section below) with regard to the use, sale, possession and consumption of alcoholic beverages. It is the responsibility of all members of the college community to abide by those laws.

Davidson students and organizations are required to be familiar with the Davidson College Alcohol Policy and to operate within that policy. Patterson Court organizations have a special responsibility to ensure that their officers and members know and abide by the ABC laws of the state, as well as be knowledgeable of the policies of their inter/national organization where applicable. Ignorance of policy is not a defensible excuse.

Students or members of the community who observe a medical or other emergency are obligated to call for help. As such, if the "Good Samaritan" who places a call for help is found to be in violation of policy, the fact that he or she placed the call will be considered a mitigating circumstance when sanctions are imposed on an individual or student organization.

Objectives of the Alcohol Policy

The Alcohol Policy for Davidson College has the following objectives:

1. To encourage students through education and disciplinary actions to obey the laws of North Carolina regarding the use, sale, possession and consumption of alcohol;
2. To encourage students' responsibility for their behavior regarding the consumption of alcohol as prescribed by college regulations, set forth in this policy;
3. To encourage a campus climate which does not tolerate alcohol misuse or abuse;
4. To develop a more creative, healthy, and positive social environment;
5. To provide educational programming that informs students concerning the use and abuse of alcohol from the first to the senior year;
6. To provide a program of intervention, treatment and support for those students who are at risk from the abuse of alcohol; and
7. To establish appropriate disciplinary mechanisms and penalties for those who violate this policy.

Information on North Carolina State Laws Regarding Alcohol

The purchase or possession of beer, wine, liquor, or mixed beverages by a person less than 21 years old is illegal under North Carolina General Statute Section 18B - 101 et. Seq.. Similarly, it is illegal to sell beer, wine, liquor, or mixed beverages to those less than 21 years old or to aid and abet a person less than 21 years old in obtaining alcoholic beverages. It is illegal to use a fraudulent ID or to permit the use of one's ID by a person less than 21 years old to purchase alcoholic beverages. It is illegal to give alcoholic beverages to an intoxicated person. Unless a different punishment is otherwise expressly stated, any person who violates any provision of statute section 18B - 101 et. Seq. shall be guilty of a misdemeanor. Penalties range in seriousness from a fine to imprisonment or both. A conviction report is sent to the N.C. Division of Motor Vehicles and will result in the revocation of the offender's driver's license for a period of one year.

A criminal record (misdemeanor or felony) may preclude admission to graduate or professional schools, profession licensure and certification, or security clearance of certain professions and positions.

The following are relevant excerpts from North Carolina statutes regarding alcoholic beverages.

1. Possession of Beer, Liquor, or Unfortified Wine by Any Person Under the Age of 21:

Penalty- Offense will be considered a misdemeanor that will become a matter of public record as a criminal conviction and subject the person to court costs and fines. (General Statute 18B-302)

2. *Purchase or Attempt to Purchase Beer or Unfortified Wine:*

Penalty- Offense will be considered a misdemeanor that will become a matter of public record as a criminal conviction and subject the person to court costs and fines. If using false identification, the DMV will revoke the defendant's license for one year. (General Statute 18B-302)

3. *Aid and Abet in the Sale, Purchase, and/or Possession of Alcohol by Anyone Less than 21 Years of Age (This includes giving alcohol to anyone less than 21 years of age):*

Penalty- Any person who aids or abets an underage person in violating this law may be fined up to \$1000, serve 150 hours of community service, and upon conviction the DMV will revoke the defendant's driver's license for one year. (General Statute 18B-302)

4. *The Use or Attempt to use a Fraudulent or Altered Driver's License in order to obtain Alcoholic Beverages when not of Lawful Age; or a Fraudulent or Altered Identification Document other than a Driver's License; or a Driver's License Issued to Another Person; or an Identification Document other than a Driver's License Issued to Another Person:*

Penalty-The offense will be a misdemeanor resulting in court costs and/or fine and the DMV will revoke the defendant's driver's license for one year. (General Statute 18B-302)

5. *Permit the use of the One's Driver's License or any other Identification Document of any Kind by any Person under 21 to Purchase or Attempt to Purchase or Possess Alcohol:*

Penalty-The offense will be a misdemeanor resulting in court costs and/or fine and the DMV will revoke the defendant's driver's license for one year. (General Statute 18B-302)

6. *Impaired Driving. A person commits the offense of driving while impaired (DWI) if he/she drives a vehicle upon any highway, any street or any public vehicular area within this state; after having consumed sufficient alcohol that he/she has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; or while under the influence of an impairing substance:*

Penalty-If an intoxication test yields an alcohol concentration of 0.08 percent or greater, driving privileges will be revoked immediately for a minimum of 30 days. Any person convicted may be fined a maximum of \$2000; serve 24 months in prison, and the DMV will revoke the defendant's driver's license for one year. (General Statute 18B-302)

Regulations on General College Use

1. It is the policy of Davidson College to comply with the laws of the State of North Carolina regarding the use, sale, possession and consumption of alcoholic beverages. This policy applies to, but is not limited to:
 - a) Events sponsored by the college for trustees, faculty and staff;
 - b) Events sponsored by the college for alumni and parents;
 - c) Events sponsored by student organizations such as the Student Government Association (SGA), the College Union, and Patterson Court organizations; and
 - d) Events covered by the college's ABC license, which include all catered functions in the 900 Room of the College Union and Vail Commons.
2. Alcoholic beverages may not be served to, possessed by, and/or consumed by individuals under the legal drinking age.
3. Alcoholic beverages generally may be consumed by individuals 21 years of age and older in:
 - a) Private rooms within traditional residence halls, Martin Court Apartments (including apartment porches) and;
 - b) Patterson Court as defined by the sidewalk along Patterson Court Circle from Patterson Court #1 (Pi Kappa Alpha) to Patterson Court #12 (Kappa Alpha Order) and a line continuing from Patterson Court #12 to Vail Commons and back to Patterson Court #1.
 - c) Turner House (Including Patio and front porch).
 - d) The Armfield courtyard, as defined by the grassy area in front of Armfield up to, but not including, Senior Drive.
4. Alcoholic beverages may also be consumed in other spaces on the campus during specific events, as designated in advance by the Dean of Students.

5. Students of legal age who use alcohol should do so responsibly and in a way that does not compromise the rights and safety of themselves or others.
6. Students of legal age and student organizations should never supply alcohol to underage students.
7. Alcoholic beverages may not be used, sold, possessed or consumed at sporting events, including intramural and club sports, on the Main Campus or the Lake Campus.
8. No funds collected by the college designated for student activities may be used for the purchase of alcoholic beverages for service to persons under the legal drinking age.
9. Davidson College requires that all student organizations that serve alcohol comply with college policies and guidelines regarding liability insurance, which includes coverage relating to the use, sale, possession and consumption of alcoholic beverages. The college will determine the minimum amount of liability coverage organizations need.

Regulations in the Residence Halls

1. There shall be no alcohol consumed in any public areas of a residence hall, including lounges, hallways, bathrooms, stairwells, or surrounding areas.
2. No alcohol in the residence hall may be provided from common containers including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, trashcans, and funnels.
3. Students are responsible for their own conduct and that of their guests in individual rooms. Only those individuals of legal age may possess alcoholic beverages. The host(s) will be subject to disciplinary action if there is excessive noise or over-crowding in the room or if those consuming alcohol are underage.
4. Resident Advisers and Hall Counselors are primarily responsible for monitoring and enforcing the policies regarding the use of alcoholic beverages in the residence halls. They are to report any infractions of this policy to the Dean of Students Office by completing an incident report. The Resident Adviser, Hall Counselor or Building Manager will inform a student that he/she will be the subject of an incident report. Violations of the Alcohol Policy are violations against the Code of Responsibility and may be reported by any student, faculty, or staff member to the Office of the Dean of Students.
5. Sanctions for participation in drinking games by underage students are double the usual applicable fine (e.g. \$50 for a first offense). Party hosts and their roommates are responsible for the conduct of their guests and will be placed on social probation for the remainder of the semester in which underage students participate in drinking games at their party. In addition, a letter will be sent to the parent of the hosts and roommates. For a second offense of hosting a drinking game with underage participants, party hosts and their roommates will be evicted from college housing without refund.

Regulations in Martin Court

Martin Court staff and Davidson College Police are required to see that the Davidson College Alcohol Policy is followed accordingly in the apartments.

1. Occupancy in Martin Court apartments is not to exceed 25 persons. Violations of this limit will be handled accordingly:

1st offense: **Warning. However, if the number exceeds 35, each apartment resident will be assessed 5 hours of service to the community**

2nd offense: **A minimum of 10 hours of service to the community per apartment resident**

3rd offense: **Referral to the Judicial Board for Code of Responsibility charges/sanctions**

4th offense: **Removal from Martin Court**

2. Common containers of alcohol, including, but not limited to, kegs, punch bowls, Jell-O, pony kegs, beer balls, trashcans, ice luges and funnels are not allowed in or around apartments. There will be no warnings for violations of this rule. Violations could result in fines and Code of Responsibility charges.
3. Alcohol is allowed in apartments and on patios by persons that are of legal drinking age. Alcohol must remain within apartments, patios and the Armfield courtyard.
4. Because the balconies at the Armfield apartments serve as public walkways for egress, residents and guests are not allowed to congregate outside of the apartments on the 2nd and 3rd floors or in the stairwells. On the 1st floor of Armfield apartments, the patios and the lawn in front of the apartments is an allowable area for open consumption of alcohol for those of legal age.
5. Patterson Court organizations are not allowed to sponsor fraternity, sorority, or eating house events with alcohol in their apartments or residences.

*** Please Note**

1. ***Violations of these guidelines could result in Residence Life Office sanction and or Code of Responsibility Charges.***
2. ***Games designed around the use of common containers (including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, funnels, coolers, ice luge, or trash cans) are expressly prohibited and a violation of the Davidson College Alcohol Policy.***

Hosts are reminded that it is illegal to serve any individual under the age of 21 and that the server is responsible for insuring that such is the case. Alcoholic beverages cannot be sold, including but not limited to such practices as charging admission, charging for cups, selling tickets, or requiring donations. Because no alcohol is permitted in the public areas of any residence hall no one may carry open containers of alcoholic beverages into the hallway or any other public area. Failure to do so may result in a Code of Responsibility violation and/or forfeiture of all or part of the deposit. The Residence Life Office may establish additional policies for the hosting of parties with or without alcohol in residence halls and students are encouraged to inquire in the Residence Life Office.

Regulations for Events Sponsored by Recognized Student Organizations

The following regulations will govern all events sponsored by any Davidson College registered or chartered organization on or off campus. All student organizations are expected to follow local, state, and federal laws. Service of alcohol at any event will use these guidelines as a minimum standard and organizations may also be governed by regulations from other bodies to which the organization is accountable, including but not limited to the NCAA, the Activities Tax Council, Inter/national Fraternities, and other national umbrella organizations.

Patterson Court organizations are not allowed to sponsor fraternity, sorority, or eating house events in their apartments.

Davidson College requires that all student organizations that serve alcohol comply with college policies and guidelines regarding liability insurance, which includes coverage relating to the use, sale, possession and consumption of alcoholic beverages. The college will determine the minimum amount of liability coverage organizations need.

Students or members of the community who observe a medical or other emergency are obligated to call for help. The college community values the obligation we have to help one another even when that individual or a group may have contributed to the situation. As such "Good Samaritans" who place calls for help will benefit from consideration of this aid as a mitigating circumstance when sanctions are imposed on an individual or student organization.

1. For the purposes of this section, Davidson College defines a "party with alcohol" as any activity, either open or closed, registered or spontaneous, at which alcohol is present. Any requests for exemptions or waivers of this policy must be submitted in writing to the Dean of Students or his/her designee.

2. All events at which alcohol will be present must be registered except as specified below in 3.b. Patterson Court parties with alcohol must be registered in the Patterson Court Office by noon two business days prior to parties Sunday through Thursday, and by Tuesday at 5:00 pm for parties on the weekend.
3. Events which do not need to be registered include:
 - a) Any completely alcohol-free event;
 - b) Spontaneous events, called "gatherings." For these events there may be no advertising (including, but not limited to posters, signs, Facebook, and/or social calendar, and e-mail communication);
 - o All alcohol must be BYO;
 - o There must be less than 30 people;

Alcohol limits for registered BYO events are in proportion to the number of 21 year olds at the event. The limit per 21-year-old is (6) 12-ounce beers, or one (1) pint of liquor, or 750 ml unfortified wine or champagne, which will be checked in at the bar; grain alcohol and bulk containers (including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, funnels, coolers, or trash cans) are expressly forbidden.

- o If any of the above circumstances are broken, the spontaneous gathering will be considered an unregistered party and the hosting organization is liable and will be referred to the Patterson Court Judiciary Board.
4. Organizations will be held responsible for the behavior of their members, be they current students, alumni, or guests, when their actions evolve from or are in any way related to their association with or activities of the organization. Organizations that condone or encourage behavior that violates college or state regulations may be given joint responsibilities for such violations. The organization is expected to maintain and secure appropriate standards on the part of its members and guests. As elected leaders, the organization's officers are responsible for ensuring appropriate conduct of all present at the function and are responsible for any incidents or events that occur directly or indirectly as a result of the event. The sponsoring organization(s) will be responsible for supplying risk management staff appropriate to attendance at the party. These staff must not consume alcoholic beverages during or at least five (5) hours prior to working the event. Specific guidelines for each position are available from the Patterson Court Office.
 - a. For a party where 80+ individuals are present:
 - i. One Head Risk Manager and One second Risk Manager.
 - ii. One Entrance Monitor for each point of entry into the event.
 - iii. One IDer to control access to the designated serving area.
 - iv. One Bartender.
 - v. One Police Officer scheduled by the Patterson Court Office and Campus Police (MINIMUM FOUR HOURS).
 - b. For a party with attendance where between 60-80 individuals are present:
 - i. One Head Risk Manager.
 - ii. One Second Risk Manager who will also act as the IDer to control access to the designated serving area.
 - iii. One Entrance Monitor for each point of entry to the event.
 - iv. One Bartender.
 - c. For a party with attendance where between 30-60 individuals are present:
 - i. One Head Risk Manager who will also act as the entrance monitor, until the party has accumulated the total number of guests registered on the registration form.
 - ii. One Second Risk Manager who will also act as the IDer to control access to the designated serving area and as the bartender.
 - d. For a party with attendance where below thirty (30) individuals are present:
 - i. One Head Risk Manager who will assume all other roles including: entrance monitor, IDer, and bartender.
 - e. For a *members only* or *closed event* all student risk management coverage applies based on the number expected to attend; however it is not necessary to obtain a Campus Police Officer to work the event.

5. At every social event where alcohol is to be served, students shall be required to show a Davidson College student ID to the host organization's IDer. The ID should be checked to see if the student has a "21+" engraving on the front of the Cat Card. If the student has a 21+ engraving, a wristband is issued to that student. Non-Davidson College students will need to have two (1) forms of ID and have a Davidson student vouch for him/her as his/her personal guest.
 - a. All Davidson students must have a valid Cat Card in order to be admitted to an open Patterson Court event.
 - b. **Wristbands are non-transferable from one event to another.** Students must show ID and receive a new different colored wristband from each event they attend.
6. Attendance at any event is conditional upon behavior. A police officer or other College official may remove anyone who is disruptive. The privilege to attend court events may be revoked by the Dean of Students Office for anyone who has been shown to be a repeated problem at events. This period will be set for an appropriate length of time in a specific case. Groups and individuals are both subject to such a review.
7. Beer (but not malt liquor) and unfortified wine are the only alcoholic substances permitted in or around Patterson Court houses for all parties that are not BYO events. At no event may alcohol be provided from common containers, including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, funnels, coolers, or trash cans.
8. Alcoholic beverages will be served only in one designated area that will be entered only by persons 21 years of age and older. The designated area must be an area or a room clearly separated from the social function.
 - a) To enter the designated service area, an individual must be wearing a wristband identifying him or her as 21 years of age or older.
 - b) Presidents and social chairs of the host organization(s) and risk management staff who are under 21 years of age may enter the designated service provided they are fulfilling official duties, they do not consume alcoholic beverages, and they do not remove any alcoholic beverages from the service area.
9. No one leaving the designated service area may have more than one container of alcohol; Beer may not exceed 12 ounces, Champagne or wine 5 ounces in capacity.
10. A Bartender who has been TIPS trained (Training for Intervention Procedures) and attended a class on risk management procedures must staff the bar. Bartenders are required to follow the state law with regard to the serving of intoxicated drinkers.
11. A supply of food and non-alcoholic beverages sufficient to last the entire event must be provided in the common areas as well as in the designated service area. It is the host organization's responsibility to maintain this supply.
12. No organization may schedule, advertise, plan, or allow drinking games or contests.
13. Each organization shall maintain a standard operating procedure for safe transportation for any off-campus event. Further, each organization shall work in conjunction with the Safe Rides Van to ensure that safe transportation is available to all guests of any event.
14. No organization may advertise an event with reference or inference to alcohol, nor shall this advertisement be demeaning to any group or individual. Advertisement includes but is not limited to flyers, posters, sidewalk chalk and t-shirts.
15. Weekday parties must end the service of alcohol by 12:00 midnight and no alcoholic beverages may be in possession after 1:00 a.m. in or around the house. A weekend party must end the service of alcohol by 1:30 a.m. and no alcohol may be in possession after 2:30 a.m. in or around the house.
 - a) A Risk Manager must remain throughout the hour designated on the registration form for a party with alcohol unless it is determined that the party with alcohol cannot safely continue, at which point the party will be closed.
 - b) Risk Managers must be on duty until the event is closed; Bartenders and ID Checkers must be on duty while alcohol is present.
 - c) Students may remain and socialize and have music as long as the Risk Manager chooses to remain on duty.
16. Patterson Court is limited to two weekday registered parties per week to be coordinated through Patterson Court Council and the Patterson Court Adviser. If an organization(s) wishes to sponsor a party with the College Union at any agreed upon location(s), such co-sponsored parties will not count for the weekday party with alcohol limit. In these cases, the Union will monitor the alcohol policy.

17. Alcohol Quantity Limit Guidelines:

- a) Organization Supplied Event. At no party with alcohol shall there be more than 25 cases of beer (12 oz cans) or equivalent amount of champagne/wine;
- b) Once each semester a given organization may petition the Patterson Court Advisor for an exception from the 25 case rule to as high as 35 cases at a specific party which is anticipated to be a larger event. Consideration of approval will be based upon arrangements for additional risk management staffing and/or procedures. Petitions are due to the Patterson Court Advisor at least five (5) business days prior to the event. Those organizations seeking to request additional cases of beer must submit, in writing, their petition to the Patterson Court Advisor. This petition should include the organization's rationale for an exception to the 25 case rule. All petitions for exception are referred to and must be approved by the Dean of Students with the recommendation of the Patterson Court Advisor.
- c) Alcohol limits for registered BYO events are in proportion to the number of 21 year olds at the event. The limit per 21-year-old is one 6-pack of beer or its equivalent in wine, champagne, or liquor. Grain alcohol and bulk containers (including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, funnels, coolers, or trash cans) are expressly forbidden.
- d) Glass containers of beer, champagne and wine shall not be allowed on Patterson Court except for at spontaneous gatherings where all glass must remain inside the house or on the porch. At non-spontaneous gatherings, glass bottles of champagne must remain behind the bar, under the control of the primary bartender. Organizations will be held responsible for cleaning up broken glass on their plot of land. If after notification, organizations have still not cleaned up glass surrounding their house, the organization will be held accountable to pay a fine as determined by the Patterson Court Office and Physical Plant. ***Note: All glass containers must be recycled.**
- e) All alcohol is to be served in disposable cups and may not be served in cans or bottles. In order to provide an increased level of security against the unwanted inclusion of foreign substances into drinks (e.g. "date rape drugs"), sponsoring organizations must make available to those requesting them tops for the cups.

Guidelines for BYO Parties

Bring Your Own (BYO) events place a greater level of responsibility upon the individual supplying his or her own alcohol, but this fact does not reduce the obligation of the host/sponsor organization to control the event and to enforce College and state regulations.

1. All aspects of the college alcohol policy shall apply to BYO events, except where these BYO regulations amend the general guidelines.
2. All BYO events for which an organization advertises or expects more than 30 people must be registered in the Patterson Court office and will follow risk management standards just like every other social event where alcohol is present.

Alcohol limits for registered BYO events are in proportion to the number of 21 year olds at the event. The limit per 21-year-old is (6) 12-ounce beers, or one (1) pint of liquor, or 750 ml unfortified wine or champagne, which will be checked in at the bar; grain alcohol and bulk containers (including but not limited to kegs, punch bowls, Jell-O, pony kegs, beer balls, funnels, coolers, or trash cans) are expressly forbidden.

3. Any unused alcohol shall not become the property of the host organization.
4. Violations are referred to the Patterson Court Judiciary Board.

Regulations for Student Organization Alcohol Usage in Spaces that Require Special Permission

It is the policy of Davidson College to comply with the laws of the State of North Carolina regarding the use, sale, possession and consumption of alcoholic beverages.

Davidson College requires that all student organizations that serve alcohol comply with college policies and guidelines regarding liability insurance, which includes coverage relating to the use, sale, possession and consumption of alcoholic beverages. The college will determine the minimum amount of liability coverage organizations need.

Davidson students and organizations are required to be familiar with the Davidson College Alcohol Policy and to operate within that policy. Patterson Court organizations have a special responsibility to ensure that their officers and members know and abide by the ABC laws of the state, as well as be knowledgeable of the policies of their inter/national organization where applicable. Ignorance of policy is not a defensible excuse.

Alcoholic beverages may be consumed in certain spaces (example, Lilly Gallery) on the campus during specific events, as designated in advance by the Dean of Students.

- Contact the Dean of Students at least one month prior to the event via e-mail to request permission.
- In your request state event, event type, time, place, and purpose.
- If the event is a fundraiser, forms must be filled out through the college union (contact William Brown).
- Student organizations granted permission must meet with either the Patterson court Advisor (Patterson Court organizations) or the Assistant Dean of Students (all other student organizations) to discuss details of the event.

Alcoholic beverages may not be served to, possessed by, and/or consumed by individuals under the legal drinking age.

Members of the sponsoring organization nor student Risk Managers are not allowed to serve alcoholic beverages.

- 3rd party servers must be used with advance approval by the Dean of Students.
- There must be a designated bar space.
- ID's must be presented to Bartenders before alcohol can be served.
 - Events sponsored by Student Organizations must have an outside vendor employ a wrist-banding system for identifying those students who are of legal age.
- Alcohol must be confined to the approved space only. (ie. Lilly Gallery approved space- alcohol not permitted to be taken beyond the gallery into Chambers or outside)

Security in the form of hired police officers is required for all student events that serve alcohol in spaces that require special permission. The number of officers per event will be determined by the Dean of Students.

Alcohol Policy Enforcement

1. The Dean of Students Office will handle violations of the Davidson College Alcohol Policy.

2. Individual Violations

Students who are found responsible for a violation of the alcohol policy will receive a sanction. In most circumstances, a student violates the alcohol policy will be subject to the following:

First offense:

The student may be required to meet with a representative of the Student Life Staff and will receive a follow-up warning letter from the Dean of Students, plus a \$25 fine.

Second offense:

The student will be required to meet with a representative of the Student Life Staff, receive a follow up warning letter, plus a \$50 fine and be required to complete 5 hours of college service within one month of committing the violation. Furthermore, a letter will be sent home to the student's parents or guardians.

Third offense:

A third offense of the alcohol violation will automatically result in a hearing before the Judicial Committee, plus a \$100 fine. In that case, the full range of sanctions possible, as listed in the Code of Disciplinary Procedures, may be given. This includes, but is not limited to, probation, college service, fine, eviction, and referral to a counselor.

Students who have consumed alcohol to the point of severe intoxication (i.e. requiring assistance from staff or medical personnel) will also be referred to Student Counseling for an alcohol assessment. Parental notification will likely occur in these circumstances, even if it is the student's first offense.

In a case where additional non-alcohol violations have occurred, the student may face Code of Responsibility charges and advance through the conduct procedures as outlined in the Code of Disciplinary Procedures.

In most cases, if one calendar year passes without an alcohol violation, all previous violations will not be considered.

3. Providing alcohol to underage students

Students who use alcohol must do so responsibly and in a way that does not compromise the rights and safety of themselves or others. Students and student organizations should never supply alcohol to underage students. Hosts may be subject to disciplinary action if they have provided alcohol to underage students. Sanctions for violations of this policy follow. For purposes of this alcohol policy, the terms "fortified wine," "malt beverage," "mixed beverage," "spirituous liquor," and "unfortified wine" shall be defined as set forth in North Carolina General Statute Section 18B-101 (2010).

Students who supply malt beverage(s) or unfortified wine to an underage student or students may be subject to the following sanctions:

- *First offense:*
The student may be required to meet with a representative of the Student Life Staff and will receive a follow-up warning letter from the Dean of Students, plus a \$25 fine.
- *Second offense:*
The student will be required to meet with a representative of the Student Life Staff, receive a follow up warning letter, be referred to Student Counseling for an alcohol assessment plus a \$50 fine and be required to complete 5 hours of college service within one month of committing the violation. Furthermore, a letter will be sent home to the student's parents or guardians.
- *Third offense:*
A third offense of the alcohol violation will automatically result in a hearing by the Judicial Committee, plus a \$100 fine. In that case, the full range of sanctions possible, as listed in the Code of Disciplinary Procedures, may be given. This includes, but is not limited to, probation, college service, fine, eviction, and referral to a counselor.

Students who supply fortified wine, spirituous liquor, or mixed beverage(s) to an underage student or students shall be subject to the following sanctions:

- *First offense:*
The student may be required to meet with a representative of the Dean of Students or Student Life Staff, will receive a follow-up warning letter, and be required to complete 5 hours of college service within one month of committing the violation. Students will pay a fine of \$50.

- *Second offense:*
The student will be required to meet with a representative of the Dean of Students or other member of the Student Life Staff, receive a follow up warning letter, and be required to complete 10 hours of college service within one month of committing the violation. Additionally, the individual will be placed on social probation for one month from parties in the location or area in which the violation occurs (for example: Martin Court, Patterson Court, Residence Halls, the College Union, etc.) and a letter will be sent home to the student's parents or guardians. Students will pay a fine of \$75.
- *Third offense:*
A third violation will automatically result in a hearing by the judicial committee. In that case, the full range of sanctions possible, as listed on page 10 of the Handbook, may be given. This includes, but is not limited to, probation, college service, fine, eviction, and referral to a counselor. Students will pay a fine of \$100.

4. DWI

A person commits the offense of impaired driving if he or she drives any vehicle (including golf carts and bicycles):

- While under the influence of an impairing substance; and/or,
- After having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.08 or more; and/or
- If the driver is under 21 years of age, the driver is considered to be driving while impaired if his BAC is 0.01 or above.

Sanctions:

If a student is pulled over and found to be driving while impaired the following will occur:

- Notification of the parents.
- Revocation of campus driving and parking privileges for 12 months.
- Referral to the Health Educator for evaluation and counseling. (Health Educator cannot do counseling but can do education)
- Social Probation for two months; This prohibits participation in social activities involving alcohol at Martin Court, Patterson Court, or the College Union.
- Pay a fine of \$100.

Campus Police:

- A first offense may result in arrest and criminal charges if the driver is not of legal age or if the of-age-driver tests above the legal limit of 0.08 and demonstrates appreciable mental or physical impairment, or both.
- If the driver is below the legal limit, Davidson College Campus Police reserve the right to use their discretion when deciding whether or not to charge the driver with DWI and issuing the above first offense consequences.

5. Charges against Patterson Court organizations shall be referred to the Patterson Court Judicial Board. Sanctions may include (1) warning, (2) censure, (3) fines, (4) social probation, (5) limiting or suspension of pledge activities if the violation pertains to pledge activities or to first-year guests, and (6) the canceling of the house's lease with the College.

Alcohol Education & Treatment

1. Education

- a) Davidson College shall provide a program of education concerning the use and abuse of alcohol and other drugs. Each year there will be a mandatory session for first-year students during Orientation and the first

semester. These sessions shall be planned by the Office of the Dean of Students in cooperation with the Health Education Program, Residence Life Office, the Counseling Center and the College Union. Patterson Court organizations will be required to participate annually in an educational program planned by the Office of the Dean of Students and the Patterson Court Advisor.

- b) The Dean of the Faculty will seek to involve the Davidson faculty in a comprehensive effort to inform them and to sensitize their students to the issue of alcohol abuse. The Dean is further encouraged to help faculty members attend workshops conducted by the Counseling Center so they are alert to signs of abuse by their students and are able to refer these students to the Office of the Dean of Students for intervention and treatment.
- c) The Counseling Center and the Health Education Program will provide annual workshops for Hall Counselors and Resident Advisors in intervention techniques to provide assistance to those students who abuse alcohol.
- d) The Office of the Dean of Students, the Patterson Court Advisor, the Counseling Center, the Health Educator, and the Student Health Center will review annually the alcohol and other drug education programs.

2. Counseling and Treatment

A program of counseling and treatment will be established by the Health Educator and the Counseling Center to include prevention, intervention, treatment, and support.

3. Evaluation

The Committee on Campus and Religious Life (CCRL) will evaluate this policy periodically. Changes or reviews prior to that time may be conducted by the Office of the Dean of Students in conjunction with the Committee on Campus and Religious Life. This review should include a statistical summary of alcohol-related disciplinary cases, as well as evaluations by the Counseling Center, the Director of Residence Life, the Patterson Court Advisor, the Health Educator, the SGA, the Union Board, and the Patterson Court Council

General College Policy on Drugs

The possession, use, or distribution of illegal drugs on the Davidson College campus is prohibited. Such conduct:

- Violates federal and state laws.
- Endangers one's physical and mental health; and endangers the health and safety of others, especially roommates and neighbors.
- Threatens the fabric of the community with serious security risks resulting from dealing with individuals operating outside the law.

Davidson College is not a sanctuary for illegal drug use and it will cooperate fully with all law enforcement officials investigating or charging a student with illegal drug use. Any student who violates federal or state illegal drug laws is subject to criminal prosecution as well as campus judicial proceedings.

Students are subject to disciplinary action for the possession, manufacture, use, sale or distribution of any quantity of prescription drugs or controlled substance, except for the use of an over-the-counter medication or for the prescribed use of medication in accordance with the instructions of a physician. Controlled substances include, but are not limited to:

- mushrooms (psilocybin)
- marijuana
- cocaine
- "crack" or other cocaine derivatives
- Heroin
- Amphetamines
- Barbiturates
- LSD, PCP
- "ecstasy", "eve", or other "designer drugs"
- "roofies" rohypnol

Possession of paraphernalia associated with the use, possession or manufacture of a prescription drug or controlled substance is also prohibited by state law and college policy.

The penalties to be imposed by the college may range from probation to indefinite suspension. However, the following minimum penalties shall be imposed:

1. The minimum penalty for a first-time violation of the Illegal Drug Policy for the illegal use of a Schedule VI drug as defined by North Carolina Statute (e.g. Marijuana, THC, Hashish, Hash Oil) or Schedule VI drug paraphernalia will be disciplinary probation for a full year, a requirement for participation in a drug abuse education and/or treatment program, and a letter will be sent to parents. Any student who violates the Illegal Drug Policy with the use of a Schedule VI drug or drug paraphernalia for a second time will be immediately suspended from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.*
2. The minimum penalty for a first-time violation of the Illegal Drug Policy for the illegal use of drugs found in Schedules I-V as defined by North Carolina Statute (e.g. all other controlled substances, prescription drugs) or their paraphernalia will be the immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold. (See the following charts for more specific details.)*
3. The penalty for a violation of the Illegal Drug Policy for the sale, distribution, or manufacture of a prescription drug, controlled substance or drug paraphernalia will be an immediate indefinite suspension from the college.*

**** A student charged and admitting guilt for a violation of the Illegal Drug Policy may choose to appear before the Judicial Committee to determine an appropriate sanction. A student charged but not admitting guilt will appear before the Honor Council.***

As citizens, the students, faculty and staff at Davidson are responsible for knowing and complying with all applicable federal, state and local laws that make it a crime to possess, sell, deliver or manufacture those drugs considered "controlled substances" by the State of North Carolina and the United States Government. Any member of the college community who violates the law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the college.

OTHER DRUGS: The possession, production, sale and delivery of controlled substances are illegal under the North Carolina Controlled Substance Act of 1971. A drug offense may be considered a felony or misdemeanor depending on the nature of the charge. Simple possession is generally considered less serious than manufacture, sale or distribution. However, possession of large amounts of drugs may be construed as intent to sell. Distribution may include giving a controlled substance to a friend free of charge. Repeat offenders are generally punished more harshly.

A criminal record (misdemeanor or felony) may preclude admission to graduate or professional schools, profession licensure and certification, or security clearance of certain professions and positions.

North Carolina general Statutes on Controlled Substances

Drugs, Alcohol and Their Risks North Carolina Laws - Davidson College Policy

Controlled Substances

Under the North Carolina Controlled Substances Act, Article 5, G.S. Ch. 90, the North Carolina Drug Commission is authorized to add, remove, or change the placement of a drug, substance, or immediate precursor to the list of controlled substances. Currently, substances are listed in six schedules:

SCHEDULE I

Heroin, LSD, Peyote, Mescaline, Psilocybin, Methaqualone, PCP, MDA

General

A high potential for abuse, no currently accepted medical use in the United States, or no accepted safety for use in treatment under medical supervision. Examples include heroin, LSD, mescaline, and peyote.

HEALTH RISKS Psychologically and physically addictive; depression, withdrawal symptoms, convulsions, death, unpredictable behavior with hallucinogens; possible damage to unborn fetus. Mixing with alcohol or other depressants can be fatal.

POSSESSION PENALTIES / NORTH CAROLINA LAW 5 years in prison and/or fine (Felony)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 10 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

SCHEDULE II

Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Secondal, Nembutal, Cocaine, Amphetamines
General

A high potential for abuse, currently accepted medical use with severe restrictions, abuse of the substance may lead to severe psychological or physical dependence. Examples are opium, cocaine, codeine, amphetamine, methadone.

HEALTH RISKS Psychologically and physically addictive; withdrawal symptoms, convulsions, respiratory failure, frequent accidents; possible damage to unborn fetus; and possible death. Cocaine and amphetamines increase blood pressure which can lead to irregular heartbeat and death; amphetamines can cause agitation, increase in body temperature, hallucinogens, convulsions, possible death.

POSSESSION PENALTIES / NORTH CAROLINA LAW 2 years in prison and/or \$2,000 fine (misdemeanor) unless: 1.

Exceeds four tablets of Hydromorphone 2. Exceeds 100 tablets, capsules, other dosage units or equivalent quantity 3.

Any amount of Cocaine. Maximum penalty: 5 years in prison and/or fine (Felony)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 10 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

Laws are subject to revision at any time; the information provided is a general guide only. Students with specific legal questions and those arrested on alcohol and other drug charges should consult an attorney.

Any student who violates federal or state illegal drug laws is subject to criminal prosecution as well as campus judicial proceedings.

SCHEDULE III

Certain Barbiturates in Codeine Containing Medicine (Tylenol #3, Empirin #3, Tussionex), Anabolic Steroids
General

A potential for abuse less than the substances listed in Schedules I and II; currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples include Tylenol #3 and Empirin #3.

HEALTH RISKS Psychologically and physically addictive; potential liver damage, nausea and vomiting, dizziness, disorientation, shallow breathing, cold and clammy skin, coma, possible death; withdrawal symptoms include anxiety, tremors, insomnia, convulsions; possible damage to unborn fetus.

POSSESSION PENALTIES / NORTH CAROLINA LAW Less than 100 tablets: 2 years in prison and/or fine (Misdemeanor), More than 100 tablets: 5 years in prison and/or fine (Felony)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 5 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

SCHEDULE IV

Barbiturates, narcotics, and stimulants, including Valium, Talwin, Librium, Darvon, Tranzene, Serax, Equanil, Ionamin
General

A low potential for abuse relative to the substances listed in Schedule III, currently accepted medical use in the United

States, and limited physical or psychological dependence relative to the substances listed in Schedule III. Examples include several commonly prescribed tranquilizers and phenobarbital.

HEALTH RISKS Psychologically and physically addictive; drowsiness, withdrawal symptoms include tremors, abdominal and muscle cramps, insomnia, anxiety, convulsions; possible death, possible damage to unborn fetus. Mixing with alcohol or other substances can be fatal.

POSSESSION PENALTIES / NORTH CAROLINA LAW Less than 100 tablets: 2 years in prison and/or fine (Misdemeanor), More than 100 tablets: 5 years in prison and/or fine (Felony)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 5 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

SCHEDULE V

Compounds with limited Codeine such as Terpene Hydrate, Robitussin AC

General

A low potential for abuse relative to the substances listed in Schedule III, currently accepted medical use in the United States, and limited physical or psychological dependence relative to the substances listed in Schedule IV. These substances may be sold at retail with a prescription to anyone 18 or older by a registered pharmacist for medical purposes. Examples include cough medicines with codeine or opium.

HEALTH RISKS Psychologically and physically addictive; nausea, gastrointestinal symptoms, drowsiness, withdrawal symptoms include runny nose, watery eyes, panic, chills, cramps, irritability, nausea; possible damage to unborn fetus.

POSSESSION PENALTIES / NORTH CAROLINA LAW 6 months in prison and/or fine (Misdemeanor)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 5 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Immediate suspension of the guilty student from the college and for at least one semester beyond the semester in which the violation occurs. Other sanctions may apply depending on the type of drug possessed, used, distributed or sold.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

SCHEDULE VI

Marijuana, THC, Hashish, Hash Oil

General

No currently accepted medical use in the United States or a relatively low potential for abuse in terms of risk to public health, and potential to produce psychological or physiological dependence based upon present medical knowledge, or a need for further and continuing study to develop scientific knowledge of its pharmacological effects. The only two substances on this schedule are marijuana and tetrahydrocannabinols.

HEALTH RISKS Psychologically addictive; increased risk of lung cancer, bronchitis, and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms include insomnia, hyperactivity and decreased appetite; depression of the immune system; decreased sperm count in men and irregular ovulation in women.

POSSESSION PENALTIES / NORTH CAROLINA LAW Less than 1/2 oz. Marijuana or 1/20 oz. Hashish: 30 days in prison and/or \$100 fine (Misdemeanor), More than 1/2 oz. Marijuana or 1/20 oz. Hashish: 5 years in prison and/or fine (Felony)

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW 5 years in prison and/or fine (Felony)

POSSESSION PENALTIES / DAVIDSON COLLEGE POLICIES Required participation in a drug abuse treatment program. Disciplinary probation for a full year, and a letter will be sent to parents. Second violation will result in an immediate suspension for at least one semester beyond the semester in which the violation occurs.

SALE/MANUFACTURE PENALTIES / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

Laws are subject to revision at any time; the information provided is a general guide only. Students with specific legal questions and those arrested on alcohol and other drug charges should consult an attorney.

Any student who violates federal or state illegal drug laws is subject to criminal prosecution as well as campus judicial proceedings.

The Davidson Student Health and Counseling Service offers medical and psychological assistance. The Health Educator can help locate further resources or provide more detailed information on the ones listed below.

Student Counseling Center	894-2451
Student Health Center	894-2300
Health Educator	894-2902
College Chaplain	894-2423
Public Safety	894-2178
College Campus Emergency	911
Davidson Town Police	892-5131

Residence Life Policies and Procedures

The Residence Life Office (RLO) at Davidson College is dedicated to providing safe, secure and comfortable residential communities that support and enhance student academic performance and social development for all residents. RLO seeks to promote the establishment of residential communities based on mutual respect, learning, and development. The following policies and procedures are in place to enhance these communities and support the safety of the residents within.

Residence Life Office: General Purpose and Principles

The Residence Life Office (RLO) at Davidson College is dedicated to providing safe, secure and comfortable residential communities that support and enhance student academic performance and social development for all residents. The Residence Life staff works in close conjunction with the College Physical Plant to this end. RLO seeks to promote the establishment of residential communities of mutual respect, learning, and development.

Davidson College and the Department of Residence Life follow the principle that all persons shall have equal access to any facility or event without regard to race, gender, creed, national origin, sexual orientation or disability unless allowed by law and deemed necessary to the administration of the educational programs. The college provides educational, social, housing, and employment opportunities to all students on an equal basis.

Department Personnel

The Vice President for Student Life and Dean of Students oversees Residence Life. The Residence Life professional staff includes the following positions:

- Associate Dean/Director of Residence Life
- Associate Director of Residence Life
- Patterson Court Advisor
- 3 Area Coordinators (ACs)
- Housing Operations Coordinator
- Security Access Coordinator
- Office Manager

The paraprofessional staff (undergraduate students living in the residence halls and working with a particular group of students) consists of Hall Counselors (HCs), Resident Advisors (RAs), and Building Managers (BMs).

Area Coordinators are full-time, Master's degree, professional staff members who supervise and support the undergraduate residential staff in each area. Area Coordinators also provide emergency and crisis response for the on-

duty student staff in the residence halls. Each AC also has a collateral assignment as either Residential Curriculum Coordinator, Summer Conference Coordinator or Diversity Program Coordinator.

Department Services/Responsibilities

RLO handles all room assignments, manages all room and damage billing, coordinates social and educational programming in the halls, serves as a liaison between residents and maintenance, and responds to all student housing needs. The professional staff selects, trains, and supervises the student staff, responds to disciplinary matters in the residence halls, and provides counseling referral and conflict management.

On each floor or in each group of suites, BMs (in Martin Court), RAs (on upper-class halls) and HCs (on first-year halls) provide support, social and educational programming, advice, and guidance. RLO trains these staff members in policy enforcement, campus resources, crisis intervention, counseling referral, and leadership development. The student hall staff members provide a variety of programs and make themselves readily available to students as excellent resources for facilitating student growth, resolving conflicts, and responding to emergencies.

Student Responsibilities

Residence Life allows a broad range of personal freedom to residents in the exercise of their academic and social lives (e.g., students have building and visitation access twenty-four hours a day). With this freedom comes significant responsibility. Students must always respect the individual rights of other community members. RLO and the Dean of Students Office address any student's failure to abide by these standards. All students of the College are bound by the Honor Code, the Code of Responsibility, and the Residence Life policies contained herein. Ignorance of these codes and policies does not constitute any excuse for violations. This handbook provides information residents need in order to have a safe and enjoyable residential experience. If students have any questions that these pages do not address, they should inquire with a student staff member, their Area Coordinator, or anyone in the Residence Life Office.

The college provides each resident with a room, room key, bed, dresser, closet or wardrobe, desk, desk chair, phone jack and Internet connection. All room furniture must remain in each student's room and no items may be stored or left in residential hallways. Public hallways, hall bathrooms, lounges, laundry, and vending facilities are available for student use and are cleaned regularly by the Building Services staff. Each residence hall lounge has a television with cable service.

Students are responsible for maintaining a healthy and safe environment by using trashcans and recycle bins provided in the residence halls and by keeping all personal belongings out of hallways and lounges. The Building Services staff takes care of normal daily cleaning, but students must take care of any messes for which they are responsible. Students and staff must work together to contribute to a pleasant community in which to live and study.

Administrative Policies and Procedures

Room Rates

The Trustees of the College set annual room rates with the assistance of RLO, the Controller, and the Business Office. After the tenth day of classes, RLO makes no refunds of room rent. If a student pays fees in advance but does not register for the semester, RLO will refund these fees in full. Students in a double room who lose a roommate will continue to be charged a double rate and the space may be filled as needed by the Residence Life Office.

NOTE: Students with special physical or medical needs who are assigned a double room but not a roommate are charged the single room rate. If the College removes a student from on-campus housing for disciplinary reasons, the student will be charged for the full contract rate.

Room Assignments

Davidson requires all currently enrolled students to live in college housing as long as space is available. The college grants off-campus permission to upperclassmen based on lottery number and campus occupancy numbers. Lottery numbers are determined by class (e.g. senior, junior), which The Office of the Registrar determines based on credit hours. Residence Life strictly abides by the Registrar's Office determination of class. RLO charges one semester's double room rent to students who move off-campus without permission. Due to a lack of housing on campus, housing is not guaranteed. In the event of minimal available bed space, lounges may be used, but in some rare cases students may be asked to live off campus.

The Contract and Agreement Period

The Contract

By accepting a room assignment and living in the residence halls, a student agrees to abide by all rules and regulations set forth in the Student Handbook and by Residence Life, and to accept decisions and rulings made by RLO and Davidson College. Students' failure to do so may incur Code of Responsibility charges, fines, and/or sanctions. Sanctions for violations of residence hall policies vary according to the severity of the infraction, but may include community service, mandatory program attendance, counseling referrals, eviction from college housing, or suspension from the college.

Agreement Period

Room rent covers the period from the time when the residence halls open until the time when they are officially closed. These dates vary each year (see below for more details). During the academic year, residence halls are closed down only for winter break. All students are required to vacate campus during winter break, beginning at noon following the last day of exams. Students leaving after hall closing time are subject to a \$250.00 late fee. Students may not occupy their rooms any time before the official opening of the halls (usually 8:00 am on the Saturday before classes begin).

The Security Access System is designed to deactivate all students' cards at winter break and at the end of the school year. Residents who are planning flights during hall closing time should make travel reservations well in advance to avoid conflicts with this policy. Laundry and dining services are not available during winter break.

Departure Dates and Times

Students who withdraw during the semester must checkout of the hall within 24 hours of their withdrawal notice.

Winter Break Closing

Students who have completed their course work and exams at the end of the fall semester must leave the residence hall within 24 hours of their last exam. The halls officially close beginning at noon following the last day of exams- all students must be clear of the hall by that time.

End of Year Closing

After spring semester, non-graduating students are allowed to stay until 5:00 p.m. on Commencement Sunday. Graduating seniors must check out by noon on the Monday following Commencement. See the Checkout page for more details on this year's check out process.

Check-In / Check-Out

All students must follow check-in and checkout procedures at the beginning and end of each contract period (academic year or semester) or upon departure at any point during the year. Students check in and out through the student staff member on their hall. In addition, students who change rooms at any time throughout the year must check out of their old assignment and into the new assignment with the student staff member(s) in those areas affected by the change.

Check-In

Students must meet with their student staff member to confirm room assignment, receive room key, and acknowledge the Room Condition Report (RCR). The RCR inventories the furniture provided by the College and records the existing condition of the room and all furnishings. The RCR is completed prior to check in and the student signs it during check in. Students should report all missing items or major damage to their hall staff member at check-in in order to avoid charges for such damages upon checkout.

Check-Out

Students must contact their student staff member to check-out of their rooms. After removing all personal furniture and other belongings from the room, cleaning the room, and returning all contents to their original position, the student will meet with their hall staff member to check-out (sign up for a time prior to check out). Failure to clean and/or restore a room satisfactorily results in cleaning charges billed to the occupant(s) of the room. If a student cannot locate his/her staff member, he or she should contact RLO. The staff member "clears" the student by signing the RCR and noting changes/damages from the original condition of the room. Students must not leave without signing the RCR form.

Students who do not check-out with a student hall staff member will be charged \$40. Also, failure to turn in the same key issued at the beginning of the year will result in a \$40 fee. Students leaving after the deadline times (see closing materials for deadlines) are subject to a \$250.00 late fee. This fee covers expenses for contract cleaners who are paid to begin service at those times. If students have not left by then, the college is responsible for paying the cleaners whether they can work or not.

Room Keys

The college abides by the following key policy:

Each resident receives one residence hall room key upon check-in from his/her student staff member. (Tomlinson Hall residents also receive a common area key.)

In the event of a lockout during regular office hours (M-F, 8:00 am - 5:00 pm), students can come to the Residence Life Office and borrow a lock-out key. A student who borrows a key from RLO and does not return it within 48 hours will be charged \$40 to recore the lock. (Tomlinson residents will be charged \$80 for two keys.)

If a student is locked out at night or on the weekend, RAs, HCs, and Building Managers are able to let students into their rooms. If a student cannot locate an RA or HC, he/she may contact Campus Police. Responses to lock-outs by Campus Police may be subject to a \$10 fee.

Lost keys require recoring and new keys cut at a \$40 charge. Students may borrow a key from RLO to use in the interim, but must return it when the new key is issued.

Room Condition Guidelines and Damage Charges

The college does not allow any alterations to residence hall rooms without approval from RLO. Students should check with an Area Coordinator or the Residence Life Office to ensure whether a change is permissible. The following incidents may result in substantial damage charges:

- Removing shelves or furniture, attempting to rewire any outlets or lighting, sawing doors to accommodate carpeting, installing water filters or other specialized plumbing fixtures, etc.

- Painting and/or repainting a room. Painting will result in charges from Physical Plant for the cost for materials and labor (which may be outsourced) to repaint the room.
- Using putty or two-sided tape to hang posters, picture frames, bulletin boards, etc.
- Decorating with contact paper or "glow-in-the-dark" stars.
- Failing to remove personal furniture/carpeting upon check-out.
- Failing to sweep/vacuum room upon check-out.

Damage Charges and Billing

Actual billing for damages occurs at the beginning of the summer with the aid of the Physical Plant Staff. Billing for room damages ordinarily appears in the July billing from the Controller's Office (January for those students who move out in December). Students should retain a copy of the RCR form in the event of any questions regarding checkout. Damage amounts are assessed at a later date by professional staff.

Furniture Replacement Costs are as follows:

Bedroom Furniture

Loftable Bed:
 Bed Ends: \$75 each
 Bed Spring: \$100
 Bed Rail: \$35 each
 Captain's Bed: \$450
 Mattress: \$110
 Dressers:
 3-Drawer: \$250
 4-Drawer \$275
 5-Drawer: \$300
 Wardrobe: \$425
 Desks:
 Desk: \$275
 Desk Carrel: \$125
 Desk Chair: \$185

Apartment Common Furniture

Dining Table: \$390
 Dining Chair: \$175
 Sofa: \$1100
 Loveseat: \$840
 Lounge Chair: \$550
 End Table: \$250
 Coffee Table: \$250 (oblong)
 \$600 (round)
 Study Table: \$850

Room Inspections

In an effort to not only do as much as possible to ensure students are living in a safe and healthy environment, but also to try to ensure the long-term integrity of the buildings, Residence Life reserves the right to enter and inspect residential spaces for cleanliness and continued care at any point throughout the year. These inspections would generally only occur at the following times:

1. If a concern (by another resident, student staff member, or Physical Plant staff member) is brought to RLO attention due to the presence of a strong odor, pest problem, maintenance concern, or safety issue.
2. Once or twice a semester on a regular and announced schedule.

Health and Safety Inspections

Health and Safety Inspections will occur once or twice a semester throughout campus. Notice of inspection dates will be given at least a week ahead of time. These inspections will be conducted by RLO student staff. Two staff members will enter each room / apartment on campus and will be checking for the following things:

- Fire Safety Hazards (e.g. candles, flammable materials, fire safety equipment that has been tampered with)

- Appliance concerns (e.g. improper cooking appliances, excessive refrigerators, halogen lamps)
- Maintenance concerns (e.g. excessive damages, broken door locks, improper lofts)
- Health concerns (e.g. cleanliness issues, trash not removed)

Furthermore, any College or Residence Life policy violations that are witnessed during the inspection, such as illegal drugs or paraphernalia, weapons, or unauthorized pets, will be dealt with appropriately. Apartments or rooms that contain improper or hazardous items will likely be reinspected at a later date. In some cases, residents who have hazardous items or other policy violations may be fined accordingly. Immediate threats to safety or major violations will be confiscated immediately.

In order to ensure cleanliness in the rooms/apartments, vacuum cleaners are available in the residence halls, but are not available in Martin Court. Further cleaning supplies should be purchased by the residents of the room/apartment.

Community Standards and Hall Policies

Alcohol

College policies regarding the sale, possession, and consumption of alcoholic beverages in the residence halls adhere closely to Federal, State, or local laws. These policies include:

1. It is unlawful for any person under twenty-one years of age to purchase, possess, or consume any alcoholic beverage.
2. Students who provide alcoholic beverages to under age individuals are in violation of state law. North Carolina law holds providers of alcohol liable for any injuries to the consumers or others that may occur because of the use of alcoholic beverages.
3. There shall be no alcohol consumed in any public areas of a residence hall, including lounges, hallways, bathrooms, stairwells, or surrounding areas.
4. No alcohol in the residence hall may be provided from common containers, including, but not limited to, kegs, punch bowls, Jell-O, pony kegs, beer balls, trashcans, and funnels.
5. Advertising of alcohol or the availability of alcohol at any function on campus is strictly forbidden.
6. Student hall staff members monitor and enforce policies on the use of alcoholic beverages in residence halls and report any infractions to the appropriate personnel in the Residence Life Office.
7. See Davidson College's [Alcohol and Drug](#) Policies for further information.

Large parties are not allowed within residence halls spaces due to the smaller size of the rooms and fact that most residents of the hall are not over 21.

Bicycles

Students must keep all bicycles outside at a bicycle rack or inside their room. Fire code prohibits the storage of bicycles in hallways, lounges, stairwells, and porches. Building Services or Campus Police will impound bicycles found in these areas (locks cut off if necessary) and Campus Police will store them. The college may dispose of bicycles left on-campus at the conclusion of the academic year.

Candles and Other Incendiaries

The use of incendiary agents, including, but not limited to the list below is prohibited. A fine of \$50.00 may be assessed for the following items:

- Candles and Incense (open flame devices): In conjunction with fire safety regulations, the college prohibits open flames of any kind in the residence hall rooms (specifically candles, incense and oil lamps).
- Fireworks: The college strictly forbids the possession or use of fireworks, or any other incendiary agent in or near the residence halls. Anyone discovered using fireworks will be charged with a Code of Responsibility violation in addition to incurring the \$50 fine described above.
- Halogen Lamps: The college strictly prohibits halogen lamps in the residence halls as they create serious fire hazards. The halogen bulb becomes extremely hot and can ignite fabric up to five feet away.
- Holiday Decorations: The college strictly prohibits live Christmas trees (including in Patterson Court Houses) as they dry out and can catch fire easily. When using artificial trees, residents should not allow lighting wires to make contact with any metallic part of the tree. Holiday Lights should not be strung through suspended ceiling tiles or near fire suppression sprinkler heads, and should not come into contact with any wrapping paper, metallic foil, etc. Decorative lights must be turned off and unplugged when no one is in the room.

Combustible Materials

Fire Code also prohibits the placement of a combustion engine inside a residential dwelling. Therefore, all motor vehicles, including motorcycles, scooters etc., may not be parked inside any room or building on campus. Residents must leave any motor vehicle, either fuel or electric propelled, outside in a campus designated parking space. No vehicles may be parked on porches in Martin Court.

Combustible materials including, but not limited to: lighter fluid, motor oil, fireworks, propane, and gasoline are prohibited inside all residential facilities.

Residents are not allowed to "cook out" near residence halls. Students may not keep gas and charcoal grills inside a residence hall. The college provides grills throughout campus for student use. RLO and Public Safety must authorize any other areas for "cooking out."

Dartboards

The college strictly prohibits darts and dartboards in residential areas (including public areas) as they cause extensive damage to walls and furniture. Students who damage walls with darts will incur damage charges upon check-out.

Drugs

The college strictly prohibits the use, possession, sale, and/or distribution of any illegal drugs. The college will discipline students involved in such activities. In most cases, students caught with illegal drugs will be charged with a Code of Responsibility violation, and, if found responsible, could face sanctions such as probation, suspension, or expulsion.

Noise and Quiet Hours

Living on campus requires a recognition of and respect for the needs of the greater building and floor community. To this end, all on-campus students must abide by the following quiet hours:

- Weeknights (Sun-Thur. nights) - Midnight to 8 a.m.
- Weekends (Fri. and Sat. nights) - 2 a. m. to 8 a.m.
- During finals, quiet hours are in effect 24 hours a day

When quiet hours are in effect, any noise from inside a room that can be heard in the hallway or in other rooms (including loud gatherings/parties, yelling, or loud music) is likely a violation. Furthermore, noise in the hallways and common areas

should be kept to a minimum. Residents have the ability to set extended quiet hours (e.g. quiet hours begin earlier in the night) on their floor, per their community agreement.

In recognition of the fact that residence halls are a part of the overall academic mission of the campus, residents have the right to study and rest peacefully in their room at any time of the day, regardless of posted quiet hours. Therefore, students should always be cognizant of the noise that they are creating in the hall. Also, students must always respond to fellow students' requests for quiet.

If a violation of a student's right to sleep or study in the room occurs, he/she should:

1. Speak to the person or persons causing the disturbance and ask them to quiet the noise. If this does not work,
2. Contact the RA or HC (of the floor or on duty). If this is not effective or possible,
3. Contact Campus Police.
4. If a student is unsatisfied with the solution, he/she should contact RLO during regular business hours.

Incidents of inappropriate noise, repeated disturbances, and/or a disrespectful response to a request for reduction in noise will be treated as serious violations of community standards.

Pets

Public health regulations mandate the restriction of pets in the residence halls. College policy prohibits rodents, cats, dogs, spiders, snakes, birds, and other pets in the residence halls. The defining characteristic of a prohibited animal is one that can survive outside of water. Students may have aquariums as long as the fish are kept in sanitary conditions.

Discovery of prohibited pets may result in a \$125 fine (even in cases where pets are "just visiting" for a short time). Those found with illegal pets or other violations of the Pet Policy will be subject to the following charges: de-fleaing the residential area if necessary; deep cleaning of all carpeted and upholstered surfaces; and cleaning of the air ducts in the residential area. Violation of the Pet Policy may also result in Code of Responsibility charges and possible eviction.

The college also prohibits the feeding of any stray animals in and around the residence halls or anywhere on the college campus. Caring for these animals during the semester results in cruel abandonment when students leave for winter and summer break.

Smoking

All Davidson College buildings are Smoke-Free. Therefore, college policy prohibits smoking in all indoor residence hall and apartment spaces. Students violating this policy will incur a \$50.00 fine on the first offense and possible eviction from the residence halls for repeated offenses.

Smoking is also prohibited in any outdoor areas within twenty feet of a building's door or window where smoke may enter and affect the internal environment or adversely affect the environment of those entering or exiting the facility.

Hookahs - single or multi-stemmed water pipes used for smoking tobacco - are allowed to be used on campus grounds but, in accordance with the Smoking Policy, cannot be used inside of residence halls. Furthermore, in accordance with the drug laws and policies, hookahs should not be used to smoke marijuana or other illegal drugs.

Sports in the Hallway

Because of the increased likelihood that damage will occur to the common area of the building and to students' personal belongings, students are not allowed to play any type of sports within a residential building (including lounges, hallways, and rooms). This includes, but is not limited to, the following:

- Football, baseball (including wiffle ball), soccer, or any other ball sport
- Riding a bicycle or skateboard
- Using rollerblades or skates
- Wrestling or play fighting
- Running recklessly

If a student intentionally, or accidentally, damages anything within the hall while playing in the hall, the student will be responsible for paying the clean-

up, repair, or replacement costs.

Visitation Policy & Guests

Currently enrolled students and visitors to campus must abide by the following visitation policy:

1. Each student may decide what persons are allowed to be in his or her room. A student may refuse entry to the room by any person except his or her roommate(s).
2. Each student must respect his or her roommate's rights to sleep and study. A student's guests should never infringe upon these or other basic rights of personal privacy.
3. It is expected that guests will not become residents of a hall or apartment. Visitors who stay for an extended period of time will be addressed on a case-by-case basis.
4. Students may petition to their Area Coordinator and/or the Residence Life Office if their guest needs to stay beyond the 72 hr/4 nights a month limit. Examples include siblings staying over a spring break, parents visiting, etc.

Failure to abide by the time constraints can result in a warning, removal of guest, guest banned from campus or suspension of guest privileges for up to a year. Repeated violations will be referred to the College Judicial Board.

Guests

Residents who host off-campus guests or other Davidson students in the room must take responsibility for damages or other inappropriate behavior of those guests. All visitors to the campus must abide by Davidson's rules and regulations. Students must inform their guests of all pertinent rules. RLO does not provide extra beds, mattresses, linen, or bedding for guests in the residence halls.

At no time are students and/or guests allowed to sleep in residence hall common areas or lounges. These spaces are meant for studying or socializing, and are not meant for students or guests to use for sleeping overnight or for extended periods.

Facility Information and Policies

Air Conditioning / Heat

The thermostats in the residence halls are very sensitive. For this reason, students should adjust only the fan switch (high, medium, low) and not the thermostat. If residents experience any problems with temperature, they should place a work order with RLO. The charge for replacing a damaged thermostat is \$150.00. In many buildings, opening a window while running the air conditioner can upset temperature control for the entire floor. Opening windows also creates conditions conducive for mold growth. Students should keep windows closed while the air conditioner is operating.

Appliances

Due to the risk of fire in the hall, Davidson College approves only the following appliances for use in residence hall rooms:

- Coffee makers, hot air popcorn poppers, slow cookers/crock pots, blenders, can openers
- Refrigerators and microwave ovens (see restrictions)*
- Hair dryers, electric shavers, irons (with auto shutoff)
- De-humidifiers and air purifiers

Prohibited appliances include (but are not limited to): open coil burners (hot plates), griddles or grills (including Foreman-type grills), toasters, fryers, indoor/outdoor grills or hibachis, window air conditioners, portable space heaters, electric blankets, halogen lamps, and heat lamps.

Most of the prohibited appliances are allowed in the Martin Court Apartments, since they have full kitchens and are used much more extensively for cooking on a day-to-day basis.

Electrical Equipment

Sharing a residential community includes sharing the utility capabilities of that facility. Outlets and overall electrical capacity in all student-housing areas can easily be overloaded if misused. As a result, this policy requires that students use caution and limit their use of electrical equipment in the residential buildings to minimize risk of harm to themselves and the community. Therefore:

- All electrical items must be Underwriters Laboratory (UL) listed and in good operating condition.
- Extension cords are not allowed. Students should only use power strips for additional outlets.
- Students should spread out appliances within a room or apartment to lessen the load on individual outlets - do no overload outlets.
- Microfridges, hair dryers, and other such appliances should be plugged directly into the wall outlet rather than a power strip.

* In order to reduce the use of electricity, Davidson College endorses the use of the Energy Star rated Microfridge product. This is a special refrigerator/freezer and microwave oven combination appliances that is available to Davidson College students through Standards for Living. Please visit their website to learn more about how students may rent or purchase a Microfridge. Standards for Living will deliver your unit to your room just prior to your arrival on campus in the fall.

Cable Television

Cable Television is provided to Davidson College from Campus Televideo (CTV). The cable television charges CTV assesses to the College are based on the number of cable connections. Cable TV is provided to students via one cable connection in each residence hall room. Each Martin Court apartment is also provided with one cable connection, located in the living room. Unfortunately, the wiring in the apartments will not support cable television service in each Martin Court bedroom. Therefore, "splitting" or rewiring cable to provide additional connections in bedrooms without paying for the additional connections is considered stealing and a violation of the Davidson College Honor Code.

Common Area Damages

Claimed Damages

If a student causes damage (to building structure, lights, furniture, etc) in a public area, he/she is duty bound to accept responsibility and report these actions to the hall staff member or their Area Coordinator. Once a student claims responsibility for a hall damage, he or she will almost always be billed for the damage repair or cost of replacement. In most cases, when a student claims responsibility for causing damage, especially if the student reports their actions soon after the

damage occurs, no other policy violation charges will occur. If damage to a residence hall occurs as a result of vandalism by the guest of a student, that host is responsible.

Un-claimed damages

When damage occurs on the hallway or some other public area and no one claims responsibility for the damage, Residence Life bills the charge for repair, replacement, and/or cleaning to residents of the entire residence hall, floor/community, or apartment as common damages. The total cost is split among the number of residents and is added to individual room damages in the January and/or July billing. The college bases this policy on two understandings:

1. Residents of a floor or residence hall make up a community and, as such, have certain responsibilities to that community, such as keeping the community free from damages.
2. The possibility of incurring a common damage charge encourages residents to hold one another responsible for behavior.

Students should feel comfortable about confronting fellow residents and others who do not respect college property. Individuals who feel uncomfortable confronting others should report damages to the student hall staff member or to their Area Coordinator.

Failure to take responsibility and allowing members of the hall to pay for damage is tantamount to theft. If common area damage is determined to have been caused by an individual, but that individual did not claim responsibility for the damage, that student will likely be charged with a Code of Responsibility violation. In the case of damage that is determined to have been caused by unknown students who do not live in the hall, Residence Life will cover the cost of the damages.

Cooking

Students have access to kitchens in the Tomlinson and Duke Halls and the Martin Court Apartments. Students who use these facilities must leave the kitchen clean. Cleanliness includes but is not limited to all utensils, pots, pans are washed; counters are wiped clean with no food residue; all cooking materials are removed to cabinets or student rooms and not left out on counters other than to dry.

Students who use common refrigerators should mark food with their name and room number. The college handles theft of someone else's food as any other theft of personal property.

Furnishings

Students may arrange room furniture as desired. Students may not move permanently attached items (including mounted bulletin boards, light fixtures, vents, doors, etc.). Residents must always leave mattresses on the bed frame (not on the floor). RLO does not allow homemade lofts in any residence halls. Most rooms include lofts or bunk beds. Upon request, residents may obtain safety rails by coming to RLO and picking one up. Issued room furniture must remain in the student's room.

Many students bring extra furnishings from home to complement the college furniture and to make the room more comfortable; however, RLO reserves the right to restrict any furnishings regarded as potentially destructive, dangerous to person or property, or obtrusive to the academic mission of the college (i.e. waterbeds, bars, etc.) A student MAY NOT move college furniture from the room or exchange furniture from one room to another without approval from RLO. RLO cannot store any college furniture originally assigned to a room and students cannot leave personal furniture in the rooms over the summer. RLO removes and discards any abandoned personal furnishings found in rooms upon check-out (including carpeting) and charges the resident for its removal.

Painting

The Physical Plant Office requires that its staff complete any room painting on campus. Students may request painting through RLO, although rooms will be painted the College's stock color only. Physical Plant does not charge for this service; however, painting will occur only if Physical Plant deems it necessary and as resources permit. Residence Halls are scheduled for painting on a rotation basis.

Pest Control

Insects abound in this region. In order to help control pests, students should make sure to seal and secure all food containers in the residence halls. Dirty laundry, filthy sinks, and food left out will generally attract ants within a few hours. A contracted pest control technician comes to campus every Tuesday to spray in common areas as well as individual rooms, upon request. Students who detect an insect problem should promptly contact RLO to schedule Pest Control.

Room Maintenance and Work Orders

The Physical Plant employees repair any damaged or malfunctioning areas in the residence halls. Residents may turn in work requests in any of the following ways:

- Notify their student staff member,
- E-mail rlo@davidson.edu,
- Call the Residence Life Office (704-894-2188)
- Stop by RLO and turn in the request in person during office hours

Residents should report the following incidents immediately (to RLO during office hours or their student staff member on nights and weekends):

- Malfunctioning air conditioning or heat
- Lighting or electrical problems
- Plumbing issues (water leak, clogged toilet, etc.)

In most cases, Maintenance completes work orders in 24 to 48 hours. (Note: It is helpful to submit work orders before lunch.). Maintenance addresses urgent needs more promptly (e.g. lighting and plumbing).

RLO bills roommates equally for irresponsible or malicious damage to the room, unless the perpetrator takes full responsibility for the damage. Residents take responsibility for windows and screens as part of the room and must therefore pay for repair or replacement of damaged windows.

Storage

There is no space available in the residence halls for personal storage outside individual rooms. Fire regulations prohibit storage of any item in direct proximity to the heating system and water heater. Therefore, the maintenance closets in the Martin Court apartments remain locked at all times.

Students may not leave any personal property in the rooms or residence halls during summer break because of renovations and summer conference use. College Boxes provides storage for students and arrangements can be made with them via their web site or at (866) 269-4887.

Any property of obvious value found by the Residence Life staff or turned into RLO is bagged/boxed, and labeled with building and room number where it was found, name of person who found it, and the date. RLO attempts to contact students to notify them of abandoned property in the residence halls. If a student wants the property, RLO makes arrangements for immediate pick-up or mails the items at the student's expense. Building Services will dispose of any items left in residence

hall hallways, bathrooms and common areas. The College takes no responsibility for any personal property stored anywhere on campus.

Safety and Security

Biohazards

Biohazards present risks to both students and their environment. Biohazards include, but are not limited to, blood, vomit, and other bodily fluids. A student who discovers a biohazard in a residence hall should notify an RLO student staff member immediately. RLO staff will ensure that the biohazard is safely cleaned by Building Services staff. Students responsible for biohazards as a result of policy infractions may incur expenses for damage or cleaning charges assessed to Residence Life. Students who use syringes for medical reasons should dispose of used sharps within the appropriate containers.

Building Access

All traditional residence halls have computer-operated card access systems for the exterior entrances. Students are expected to lock their room doors and will assume individual responsibility for their security and safety in the residence halls. All enrolled students have cards that allow access to these residence halls. The college follows specific regulations regarding cards and the access system:

1. Students should report problems with access cards to the CatCard Office (located in the Belk Basement).
2. If a card is lost or stolen, students should immediately contact Campus Police at extension x2178, and then notify CatCard Office at extension x2952. Failure to report theft or loss may result with a student being held responsible for improper use of the card. Students may obtain replacement cards from the CatCard Office for \$25.
3. Students are responsible for their own cards. It is a Code of Responsibility violation for students to give their cards to anyone. Students are responsible for abuses connected with giving a card to another student.
4. Audible alarms have been installed at all exterior entrances. When an alarm is activated, one must close the door immediately or Campus Police will be summoned by a silent alarm system. Propping doors open is a Code of Responsibility violation.
5. Students may call Campus Police from one of the red telephones outside of the buildings to summon Police for access to a building. This can be for non-emergency situations.
6. Any tampering with card access readers or other aspects of the access system is a serious offense and will be pursued as a Code of Responsibility violation.
7. No non-Davidson student or staff are allowed access to the residence halls (including, but not limited to, pizza delivery staff, solicitors etc). Students are cautioned to make sure such persons do not "tail-gate" into the residence halls behind them as they enter.

Missing Student Notification Policy

The following policies and procedures concerning missing students have been established by Davidson College in compliance with the Higher Education Opportunity Act of 2008.

Most missing person reports in the college environment result from students changing their routines without informing roommates and/or friends of the change. For purposes of this policy, a student will be considered missing, if a roommate, classmate, faculty member, staff member, friend, family member or other campus person has not seen or heard from the person in a reasonable amount of time. In general a reasonable amount of time is 24 hours or more but may vary with the time of day and information available regarding the missing person's daily schedule, habits, and reliability. Individuals

will also be considered missing immediately if their absence has occurred under circumstances that are suspicious or cause concerns for their safety, such as if a student has expressed suicidal thoughts or may be in a life threatening situation.

Designation of emergency contact information

Students age 18 and above and emancipated minors*

Students will be given an opportunity to designate an individual to be contacted by the college after the time that the student is determined to be missing. The name of this contact person will be confidential and may be different than the designated emergency contact. The designation will remain in effect until changed or revoked by the student.

** Emancipated minors are those students under the age of 18 who have been legally granted adult status.*

Students under the age of 18 and not emancipated

If a student under the age of 18 is determined to be missing, the college is required by Federal Law to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing.

Missing Student Procedure

a. Any individual at Davidson who has information that a residential student may be a missing person must notify the Davidson College Campus Police immediately at 704-894-2178 (office) or 704-609-0344 (duty cell phone).

b. Campus Police will begin an immediate investigation and gather all essential information about the missing student from the reporting person, from the student's acquaintances and from college personnel and official college information sources. Such information will include, but not be limited to, the following:

- A physical description of the missing person, including the clothes that were last worn
- Student's cell phone number (if known)
- Where the student might be, who the student might be with, vehicle description
- Information about the physical and emotional well being of the student
- A class schedule, when last attended class
- Last time the student used his/her CatCard

c. Appropriate campus staff, including the President's Office, the Dean of Students Office, the Residence Life Office, and the Student Health and Counseling Center and others deemed appropriate by the Dean, will be notified to aid in the search and location of the student. Contact with the student will be attempted using the following means:

- Calling the student's cell phone
- E-mailing the student
- Entering into the student's residence hall room

- Talking to roommates, hall mates, and other friends

d. A person shall be determined to be missing if: (i) search efforts are unsuccessful in locating the student in a reasonable amount of time; OR (ii) it is apparent immediately that the student is a missing person (e.g. witnessed abduction); OR (iii) it has been determined that the student has been missing for more than 24 hours. Not later than 24 hours after determining the student to be missing, Campus Police will notify other law enforcement agencies to report the student as a missing person.

e. No later than 24 hours after determining that a student is missing, the Dean of Students or his/her designee will notify the confidential contact previously identified by the student (for students 18 and over) or the custodial parent/guardian (for students under the age of 18) and advise that the student is believed to be missing.

Campus Police

Emergencies

If a student has an emergency and needs immediate police, medical, or fire assistance, they should dial 911. As soon as possible afterwards, the student should contact the student staff member on duty.

Non-Emergencies

When students have a non-emergency problem or concern during normal business hours, they should call Campus Police at x2178. After normal business hours, they may call the Campus Police Duty cell phone at (704) 609-0344. The Police Officer on duty will be able to help.

Fire Safety

The following policies exist for safety purposes. Violations of these policies may include disciplinary action and life safety fines.

Fire Safety Equipment

Fire equipment includes all items designed to limit a fire, prevent a fire, or assist in extinguishing fires or evacuating buildings. This includes lighted exit signs, fire extinguishers, sirens, emergency lighting, smoke detectors, pull handles, and door closers.

- **Never tamper with, remove, or place anything over smoke detectors.** If there is a question about whether or not a detector is working properly, immediately consult a residential life staff member or campus safety. NEVER REMOVE A SMOKE DETECTOR!
- **Do not tamper with or spray fire extinguishers.** This will cause the release of a chemical that can set off the building's fire alarm. Students who notice a used, missing or depleted Fire Extinguisher should contact Campus Police immediately.
- **Never hang anything on or near fire suppression sprinklers**, which, if broken, release a large amount of water and fire retardant and cause damage to belongings and the building.
- Fire exit doors must remain closed when they are not being used as an exit in an emergency.
- Door closer mechanisms must remain on doors at all times.
- Each residence hall fire alarm pull station has a cover which, when tampered with, sets off a local buzzer. Pulling the fire alarm itself sets off a much louder building-wide alarm.

Any student who deliberately activates the fire alarm or fire prevention equipment (extinguishers) for reasons other than fire prevention, or damages a fire Exit sign in a hallway or corridor will receive an automatic fine of \$250.00 and incur any expense for damage or cleaning charges assessed to Residence Life. Furthermore, if a fire alarm is activated under false

pretenses, there are potential criminal repercussions. Use of fire alarms or extinguishers or damage to an Exit sign that are not acknowledged by the responsible party will result in a Common Area damage assessment to the hall in question.

Personal Belongings

- Keep hallways, windows, and stairwells free of trash and personal items in case they need to be used as exit routes. Personal items should never be left in public areas and will be removed by college staff.
- Do not block lights, sprinklers or smoke detectors by hanging items near them or stacking furniture near them.
- Do not burn any flammable items.

Fire Alarm Evacuation / Response

1. A student who discovers a fire in a residence hall, or suspects a fire by the presence of smoke, should vacate the building immediately and then report it to Campus Police by dialing 911 on an outside telephone.
2. If smoke does not activate a detector, students should pull the manual fire alarm located at one of the floor exits.
3. Students should never attempt to extinguish a fire by themselves.
4. In the event of a fire alarm, and even in the case of a false alarm, students must evacuate the building and proceed at least 100 feet from the building to allow access by the Fire Department. Students may not re-enter a building until instructed by the Fire Department or Campus Police. The Fire Department is not able to clear alarms and allow residents back into the building until all residents have vacated.

Students who fail to leave immediately when the alarm sounds, attempt to hide and/or avoid vacating the building will incur a Code of Responsibility violation and a \$50 citation. RAs and HCs review evacuation plans with residents during the first hall meeting and post fire plans on each floor. Students should acquaint themselves with emergency escape routes in each building.

False alarms and intentional fires present a serious danger to residents and firefighters. Students who commit the following violations will face severe penalties:

- Intentionally setting any fire
- Intentionally causing any false fire alarm
- Vandalizing or tampering with any fire alarm or fire protection equipment including sprinklers
- Violating requirements on electrical equipment.

Intentionally causing a false fire alarm is a misdemeanor in North Carolina. Probable sanctions include removal from college housing, suspension from the college, and criminal prosecution. State law provides penalties up to a \$500 fine and/or six months imprisonment.

Insurance

The college does not take responsibility for the loss, damage, or theft of any personal property. Students wishing to protect themselves from the possibility of such losses should cover their belongings with the appropriate insurance. Companies that carry car or homeowner's insurance typically offer renter's insurance (an HO-4 type policy). The parents' homeowner's policy frequently covers a student's personal property while at school. Students and their families should investigate these policies before arriving on campus.

Room-to-Room Solicitations

The college does not allow room-to-room solicitation in the residence halls. Students who encounter individuals selling any product, conducting polls, or advertising should immediately notify the student hall staff member, RLO and/or Campus Police. Often these individuals use their "pitch" as an excuse to determine which rooms have valuable property or

they may even seek out unlocked and empty rooms while making sales. The College Union Director and the Director of Residence Life must approve solicitors of any kind. RLO will notify student hall staff of any canvassers who have received authorization to access the residence halls.

Students who have off-campus jobs may not pass out an employer's advertisements in the residence halls. Students who pass out flyers or coupons act in the capacity of a business employee, not as a current student. If an employer would like to advertise in the residence halls, he/she must contact RLO and the Director of The Knobloch Student Center.

Room Search Policy

College representatives have the right, but not the obligation, to enter student apartments under reasonable circumstances, including, but not limited to, the following:

1. Inspection: regular maintenance, work order repairs, and health and safety inspections conducted by Physical Plant, Building Services and/or RLO staff. Inspections shall be preceded, if possible, by 24-hour notice to the resident(s).
2. Search: entry into a residential room without notice or search warrant by Campus Police for the purpose of investigating suspected violations of state and federal law; full-time professional staff in Residence Life or the Dean of Students office for the purpose of investigating suspected violations of campus policy and/or state and federal law. With reasonable cause, professional staff in Residence Life or the Dean of Students office may search the room of any resident student. The search may include, but is not limited to, opening drawers and refrigerators, examining furnishings and personal effects, and searching an adjoining bath, kitchen, suite, or apartment room.
3. Emergencies: Campus Police may enter student housing without notice or search warrant to prevent danger to person, property, the building itself or the following:
 - Incident to and following a lawful arrest
 - For and in the pursuit of a fleeing dangerous criminal suspect
 - Under urgent necessity (such as persistent loud screaming)
 - Necessary to prevent loss of or destruction of an item to be seized

Parking and Traffic Regulations

Davidson College reserves the right to remove any vehicle that is illegally parked, non-registered or parked in such a way as to constitute a hazard, impede traffic, block the operation of emergency equipment or interfere with services.

All Parking Lots are numbered and color coded by signage at the entrance of each lot:
WHITE-Students YELLOW-Employees RED-Visitors

Davidson College is not responsible for damages to, the loss of, or theft from towed vehicles.

Owners are required to pay all costs involved in the removing, impounding, and storing of such vehicles.

If you want to refuse a ticket you received, complete the Ticket Appeal Form found on the Public Safety web page.. Please print the form, fill it out and send thru campus mail to Public Safety.

If you think your vehicle has been towed:

You can contact the Campus Police Office.

The towing service is:

Archer's Wrecker Service

433 South Main Street

Davidson, N.C. 28036

704-892-9374

Important things to know:

1. If a state citation is received it will be processed into District Court for Disposition.

**State citations are recorded on the individuals driving license record.*

If a campus citation is received it will be processed through the Controller's Office.

2. The posted speed limit on campus is 20 mph.

3. There will be no parking in or on:

a. No parking zones

b. Loading Zones

c. Fire Lanes

d. Sidewalks or walkways

e. Any 24-hour restricted lot or space

f. Grass or grounds

g. Handicapped parking Spaced is there is not a Handicapped licensed plate or permit visible.

h. Dumpster area

i. Residence Hall Quad

j. Along any curb

4. Fines for violations should be paid promptly to avoid billing.

5. Motorcycles must be parked in regular vehicular parking spaces and must be registered the same as a motor vehicle.

6. Students are responsible for checking their vehicle daily. Campus Police is not responsible for notifying a student if they have been issued a ticket.

7. Anyone having a *valid* reason to appeal a ticket may do so within *two (2) weeks* of the alleged violation. These reasons are not considered valid:

1. Ignorance of regulations.
2. Late for class
3. Inclement weather
4. Inability to find a parking space

Vehicle Registration

All students desiring to park on campus are required to register their vehicles with the Davidson College Police Department. These vehicles must be registered within 48 hours of the student's arrival on campus. Use the link on the right to register your vehicle online.

- Student decals are valid from August 1 through July 31st of each academic year. Employee parking passes are valid to all active employees.
- There is a \$3.00 charge for all replacement vehicle decals.

Payment of registration fee for students:

Valid August 1 through July 31.....\$50.00 fee for regular student parking

Valid August 1 through July 31.....\$25.00 fee for limited parking (Ramsey Lot and 3rd Bay of Baker)

Temporary Registration

Temporary parking permits are available at the Campus Police Office. The visitor must also obtain a free copy of the Parking Rules and Regulations. They may not park in areas authorized to fire lanes, on grass, sidewalks, and other areas designated as No Parking Zones. Temporary permits should be displayed by hanging them from the rear view mirror.

Handicapped Parking Spaces

Vehicles are required to display a North Carolina "Handicapped" license plate or a Davidson College "Handicapped" permit (temporary). Handicapped permits are available at no charge in the Campus Police Office.

Parking Areas

- Student parking spaces are marked with white lines.
- Students are permitted to park in areas designated as employee parking from 6:00 p.m. -5:00 a.m. weekdays and from 6:00 p.m. Friday - 5 a.m. Monday. *With the exception to Vail Commons, which is a 24/hour staff lot and Laundry, 6am-1pm (staff only) Saturday and Sunday.*
- Students are *not* permitted to park in faculty/staff spaces during holidays or college breaks.
- NOTE: Any student vehicle parked in any employee lot after 5:00 a.m. on weekdays will be towed at owner expense.
- Employee parking spaces are marked with yellow lines.
- Visitor parking spaces are marked with red lines. Visitor spaces are closed to students and faculty/staff.

Loading/Unloading at Residence Hall Quad

Parking around residence halls is restricted to loading and unloading in conjunction with designated days for moving in or out. Anyone having to load or unload heavy items outside of this time frame must report to the Campus Police to obtain a special pass. Any vehicle parked outside of the specific times will be ticketed and/or towed.

Patterson Court Parking

Parking in the fire lane along Patterson Court is prohibited. One must report and obtain permission from Campus Police Office and not exceed 15 minutes.

Vehicle Safety

Davidson College assumes no responsibility for the care or protection of any vehicle or its contents while operated or parked on campus. For greatest protection, remove keys and valuables, and lock the vehicle when it is unattended. Valuables, if not removed, should be secure in the trunk of the vehicle. Thefts should be reported immediately to Campus Police at **911**.

A complete copy of Davidson College Parking Rules and Regulations can be obtained by calling extension 2178, or when vehicle is registered with Campus Police.

Campus Safety Strategies

Davidson College Department of Public Safety & Police shares in a joint police dispatch service with surrounding towns; North Mecklenburg Communications Center provides dispatch services to the nearly 60,000 residents of North Mecklenburg. When calling police communications please provide the following information:

your name

location of incident you are reporting

a description of the scene and suspects

a description of any vehicles involved in the incident, especially a license plate number

911 Campus Emergency

Dial this number for any emergency situation, i.e., fire, medical, police, or any time an immediate response is needed, i.e., fire, injury, crime in progress, etc.

704- 894-2178 Public Safety & Police Business Line

Dial this number for routine business, escorts, jump-starts, locked out of vehicle or room, report missing property, etc., or any time you need to speak with a police officer.

704-609-0344 Officer Duty Phone

Dial this number to speak directly to a Campus Police Officer.

It is important that all members of the college community take precautions and act responsibly toward the goal of reducing vulnerability for crime. Should you become the victim of a sexual assault on campus, call the Davidson College Department of Public Safety & Police immediately at (704) 894-2178 or (704) 609-0344.

For Emergencies on-or off-campus, call: 9-1-1 for Police, Fire and Medic Dispatch

Davidson College Department of Public Safety & Campus Police
Davidson College On-Duty Officer cell phone: 704-609-0344

Student Health and Counseling Center

Student Health: 704-894-2300

Mental Health: 704-444-2400

United Family Services
Counseling & Education: 704-332-9034

Domestic Violence Program: 704-332-9034

Victim Assistance & Rape Crisis: 704-332-9034

24- Hour Rape Crisis Hotline: 704-375-9900

Other Mecklenburg County Officers
Domestic Violence Healthcare Project: 704-466-3999

The Shelter for Battered Women: 704-332-2513 (available 24 hours/day)

Victim Assistance Court Services: 704-336-4126

Protective Order Information Line: 704-336-7666

Town of Davidson Police: 704-892-5131

Religious Life

Preamble

Religious life at Davidson College is celebrated on the affirmation that we are all created in the image of God, brothers and sisters in the human family, whatever our creed, heritage or beliefs.

As a Presbyterian church-related institution of higher learning since its founding in 1837, Davidson stands in the particular strand of Christianity known as the "Reformed tradition." As the college's Statement of Purpose indicates, this tradition "recognizes God as the source of all truth, and believes that Jesus Christ is the revelation of that God, a God bound by no church or creed. The loyalty of the college thus extends beyond the Christian community to the whole of humanity and necessarily includes openness to and respect for the world's various religious traditions."

The policies and standards which shape the college's religious life therefore seek to foster a community that values and nurtures the life of the spirit and that engenders freedom of inquiry, conscience and practice.

Policies for Personnel

The College Chaplain serves as pastor to the college community. As the administrator charged with oversight of the college's religious life, the College Chaplain is the primary institutional liaison for all religious life activities on the campus. Individuals or groups seeking to engage in on-going ministries or religious fellowships at Davidson must consult with the College Chaplain regarding religious life policies and standards, and regarding procedures for registering their organization with the college prior to beginning activity on the campus.

Davidson College welcomes authorized representatives of diverse religious traditions to participate in and nurture religious life at the college. These professionals must be appointed officially in writing by their respective ecclesiastical or para-church agencies, must be accountable to those agencies for their work at Davidson College, and must register with the Office of the Chaplain prior to beginning their work on campus.

All registered religious life representatives shall affirm in writing their willingness to abide by the "Standards for Religious Groups and Campus Ministries at Davidson College."

Professionals registered with the Office of the Chaplain as religious life representatives are entitled to the following privileges:

- Use of public campus facilities to meet with their constituencies (as defined above), subject to ordinary college restrictions and availability.
- Use of the Campus Ministries office space located in the Campus Center. At the beginning of each academic year, the use of this space shall be scheduled for members of the chaplaincy staff, Campus Ministers/Clergy, and Para-Church Staff Workers. The College Chaplain shall have final discretion over the scheduling of the Campus Ministries office space.
- Announcement through Chaplain's Office publications and the college's Religious Life web page of their professional activity on campus.
- Participation in activities related to campus religious life that take place annually during First-year Student Orientation.
- Participation in other aspects of the college's life as invited by the College Chaplain or other college officials.

Religious Life Council

The Religious Life Council is a representative body in which member organizations may inform one another of planned activities and address issues of concern regarding religious life on campus. The council also provides a forum for the Office of the Chaplain to disseminate information to the various religious life constituencies. The council is chaired by the College Chaplain. Its membership includes the chaplaincy staff, the student leader(s) of each registered religious organization, the faculty/staff advisor of each of these groups, and registered Campus Ministers/Clergy or Para-Church Staff Workers. Although not a policy-making body, the Religious Life Council may forward suggestions regarding changes to college policies and standards related to religious life to the CCRL for consideration in its capacity as an advisory body to the College President, who has authority to approve such changes.

Standards for Organizations and Individuals

1. All student religious groups shall follow the College Union's Office of Student Activities procedures to be registered student organizations, and they shall abide by established college policies regarding the operation of student organizations.
2. All student religious organizations shall have an official advisor who is a member of the Davidson College faculty or staff. This advisor is in addition to any Campus Minister/Clergy or Para-Church Staff Worker who works with the student organization.

3. The student leaders and staff/faculty advisors of all student religious groups shall participate regularly in scheduled meetings of the Religious Life Council.

4. All Campus Ministers/Clergy and Para-Church Staff Workers (religious life "representatives" of ecclesiastical or non-denominational religious agencies) shall register with the Office of the Chaplain for the privilege of working on the Davidson College campus. They shall participate regularly in scheduled meetings of the Religious Life Council. The College Chaplain shall serve as the primary college liaison for all such representatives in conducting the exercise of their professional duties on the campus. Davidson College reserves the right to rescind at any time the privilege of a religious life representative to work on the campus.

5. Religious groups and representatives shall recognize that Davidson College seeks to promote a campus atmosphere in which a diversity of religious faiths and expressions of spiritual life are respected and productively engaged.

6. Religious groups and representatives shall respect the right of students to maintain privacy, to accept, question or reject religious faith, and to affiliate with, decline to affiliate with, or disaffiliate themselves from any religious organization on campus.

7. While Davidson College recognizes that appropriate expressions of evangelism may be integral to a group's religious convictions and activities, the following behaviors are examples of actions which are not acceptable: door to door or other organized campaigns within residence halls (where students rightly expect their privacy to be respected), whether by students or representatives; visual displays or organizational announcements in classroom space; literature or survey campaigns where individuals cannot easily or comfortably avoid being approached by those distributing the literature or surveys; intrusion through unwanted or unannounced visits, phone calls or mailings (including email); persistence in personal invitations of any kind to a group's meetings or activities after the invitee has clearly indicated a desire not to participate in that group's life or activities. This list is not exhaustive.

8. Religious life representatives shall follow all campus rules and regulations, including residence hall policies which prohibit entering such halls unless invited and escorted by a Davidson College student or staff member, and religious life policies which specify the purposes for which these representatives function on campus and the constituencies with which they may meet.

9. Religious groups and representatives shall not engage in actions which have an adverse impact on the academic or vocational pursuits or the emotional or physical well-being of students, or which by force or coercion (physical or psychological) cause students to be absent from campus or from activities which are a regular aspect of a liberal arts education (e.g., study abroad). Further definitions of harassment may be found in the Code of Responsibility

10. Religious groups shall clearly identify the name of their organization on all publicity, displays, or other organizational materials posted, distributed or erected on campus.

11. Religious life representatives shall clearly identify themselves as representing their particular ecclesiastical or para-church agency (and not the Office of the Chaplain or Davidson College) in all publicity or communications with students, parents, the press, or the general public. False or deceptive promotions or advertising concerning a religious group, its activities, or its representatives are prohibited.

12. Religious groups and representatives shall keep the Office of the Chaplain apprised of their activities, notifying that office of any changes in a group's regular meeting time(s) and of any and all occasional activities sponsored by the group.

13. Infractions of these standards by student religious organizations may result in a referral to the Office of the Dean of Students for possible sanctions based on Code of Responsibility violations.

If religious groups or representatives engage in practices or behaviors which adversely affect an individual's or the public welfare, health, or safety on the campus or which are clearly contrary to the fundamental purposes for which the college

exists, the college has the right to intervene to stop such activity. The college reserves the right to rescind the privilege of any registered religious life representative to work on the Davidson College campus.

Open Social Event Management Policy

Davidson College recognizes that a vibrant, diverse social life is an important feature of campus life and encourages students to plan events within a framework that promotes safe, legal, and responsible fun. When planning an event that will involve none Davidson guests event sponsors are required to schedule a meeting with the Dean of Students (or designee) to review Davidson College's policies and procedures which the host organization will follow. These regulations apply to all major campus wide open student events whether alcoholic beverages will be served or not. Events include, but are not limited to:

- Major Union Board events i.e. "Winter Fest"& "Spring Frolics"
- Events by any student organization with facilities on Patterson Court
- Open parties on Patterson Court
- Step Show After Party
- Senior Class Party
- All open campus parties or balls
- Fraternity and Sorority coming out show after parties

If alcohol is served all organizations must follow the attached guidelines for serving alcohol in spaces that require special permission.

Guest Policy

Attendance at these events is limited to Davidson College students and their invited guests (Davidson Alumni are considered guests). All invited guests must be signed in by their hosts. Davidson students can sign in up to two guests each. Signed in guests will be issued a wristband different in color from the wristbands issued for alcohol service that must be worn at all times. Hosts are responsible for maintaining the whereabouts of their guests at all times and will be held responsible for the actions of their guests as stated in the student handbook. The Dean of Students (or designee) may consider special exceptions to the guest policy on a case-by-case basis. Please note that additional requirements around security may be required if exceptions are granted.

Advertisements

Advertisements or invitations to events where alcoholic beverages are being served should emphasize the nature of the event, and not the alcoholic beverages. Organizers must keep references to the type and quantity of alcoholic beverages to be served out of promotional materials. Events are designed for Davidson students primarily. Promotion of events off-campus or online must reflect the limitations stated in the guest policy by including the following statement: "All guests not affiliated with Davidson College must be signed in by a Davidson student."

Presence of Campus Police

Organizers of open parties, campus-wide social functions, and events where non-Davidson guests will be in attendance must notify the Campus Police Department at least one month prior to the event. The Chief of Campus Police, or their designee, will determine whether police services are needed and the number of police appropriate for the event. The sponsor of the event will be financially responsible for police services.

Outside Events

Events taking place outside must have limited access. Campus Police must be consulted during the early planning stage to design a plan to include setting up barricades to limit access to the event. Participants must enter at designated entryways where they will show their Davidson College ID and sign in any guests.

Violations

Davidson College expects all organizations to adhere to the guidelines outlined in this policy. In the event that sponsoring organizations fail to do so, they will be subject to postponement of their event and or disciplinary action.