<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Honor Code and Pledge</td>
<td>1</td>
</tr>
<tr>
<td>The Code of Responsibility</td>
<td>1</td>
</tr>
<tr>
<td>Disciplinary Action: Rights and Powers</td>
<td>4</td>
</tr>
<tr>
<td>Responsibility and Authority for Student Conduct</td>
<td>5</td>
</tr>
<tr>
<td>Code of Disciplinary Procedure</td>
<td>6</td>
</tr>
<tr>
<td>Sanctions for Violations</td>
<td>7</td>
</tr>
<tr>
<td>Disciplinary Procedures</td>
<td>9</td>
</tr>
<tr>
<td>COVID-19 Shared Responsibilities</td>
<td>19</td>
</tr>
<tr>
<td>Policy, Procedures, and Information on Sexual Misconduct, Relationship Abuse and Violence, and Stalking</td>
<td>19</td>
</tr>
<tr>
<td>Extraordinary Disciplinary Powers of the President</td>
<td>45</td>
</tr>
<tr>
<td>Disciplinary Records</td>
<td>46</td>
</tr>
<tr>
<td>Release of Student Information</td>
<td>47</td>
</tr>
<tr>
<td>Weapons Policy</td>
<td>47</td>
</tr>
<tr>
<td>North Carolina Hazing Law</td>
<td>47</td>
</tr>
<tr>
<td>Alcohol and Drug Policy</td>
<td>48</td>
</tr>
<tr>
<td>Regulations on General College Use</td>
<td>50</td>
</tr>
<tr>
<td>Regulations in Residence Halls</td>
<td>50</td>
</tr>
<tr>
<td>Regulations in Martin Court</td>
<td>51</td>
</tr>
<tr>
<td>Regulations for Events</td>
<td>51</td>
</tr>
<tr>
<td>Guidelines for BYO parties</td>
<td>54</td>
</tr>
<tr>
<td>Alcohol Service by Special Permission</td>
<td>55</td>
</tr>
<tr>
<td>Alcohol Policy Enforcement</td>
<td>56</td>
</tr>
<tr>
<td>Alcohol Education and Treatment</td>
<td>57</td>
</tr>
<tr>
<td>General College Policy on Drugs</td>
<td>57</td>
</tr>
<tr>
<td>NC General Statutes on Controlled Substances</td>
<td>59</td>
</tr>
</tbody>
</table>
Amnesty Policy Page 62
Missing Student Notification Policy Page 63
Campus Police Page 64
Religious Life Policies Page 70
Open Social Event Management Policy Page 72
Residence Life Policies and Procedures Page 73
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, the Dean 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

As a liberal arts college grounded in the Reformed Tradition, Davidson College ("Davidson" or the "College") seeks to promote students’ development of humane instincts, and disciplined and creative minds for lives of leadership, service and self-fulfillment. The Code of Responsibility is based upon the belief that Davidson's purpose can best be advanced in an educational environment that emphasizes the responsible use of freedom within a community that values integrity and mutual respect. Therefore, rather than detailing an elaborate list of rules, this Code defines basic principles that the College expects all students to adopt, so that each individual can freely develop and exercise responsible judgment. This Code of Responsibility is established in accord with the College Constitution. Behavior protected by Article XII of the College Constitution (Student Rights and Responsibilities), including freedom of expression and assembly, is not prohibited under the Code of Responsibility.

General Provisions

Upon entry to Davidson, students adopt the following Statement of Community Responsibility.

   I. We are a community of learners who value personal and intellectual honesty.

   II. Our actions reflect maturity, social responsibility and respect toward others.

   III. We value individual differences and will not tolerate harassment or discrimination.

   IV. Our actions show respect for health and well-being.

   V. We honor Davidson by upholding the policies that support our community standards.

Specific Definitions and Guidelines

   I. We are a community of learners who value personal and intellectual honesty.

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.

II. Our actions reflect maturity, social responsibility and respect toward others.

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. 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.

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 their financial obligations to the College or campus organizations are settled to the satisfaction of the Business Office or those organizations.

Respecting Others and Their Rights 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, hazing, or conduct which might endanger the health and safety of others are prohibited whether on or off campus.

Respecting Community Space and Property 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.

III. We value individual differences and will not tolerate harassment or discrimination.

Harassment 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. As such, it violates this Code and, in some cases, federal or state law. 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, gender (including pregnancy and parenting), orientation, age or disability.

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.)

IV. Our actions show respect for health and well-being.

Legal and responsible use of alcohol. 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 regarding the use of alcoholic beverages and to ensure that their officers and members know and abide by the laws of North Carolina regarding alcoholic beverages.

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.

Community and public safety. 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. (See NCGS 14-269.2 and 14-284.1).

Response to Campus Police. Campus Police 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.

---

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.
V. We honor Davidson by upholding the policies that support our community standards.

Residential living. 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 their roommate(s) from their room. Cohabitation is prohibited.

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. (College officials issue 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 enacting consequences for those whose conduct is in violation of the codes. The aim of disciplinary action should be the cultivation of an atmosphere of learning and growth, in alignment with the College's Statement of Purpose. Therefore, the body adjudicating a specific case should consider each infraction individually and assess consequences, or sanctions, 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 Respondent

Any student alleged to have violated the Honor Code or the Code of Responsibility who is subject to disciplinary proceedings before the Code of Responsibility Council or the Honor Council (a "Respondent") shall be afforded the following rights:

- Respondents shall be presumed innocent unless and until proven otherwise by clear and convincing evidence.
- Respondents shall be informed in writing of the charges against them and given adequate time to prepare their cases. (See specified times in Code of Disciplinary Procedures, Part III, Sections E and H.)
- Respondents referred to an Honor Council shall have the right to the advice and assistance of the Defense Advisors.
- Respondents have the right to a prompt, fair, and impartial case resolution process, meaning a process that:
  - Is completed within reasonably prompt timeframes;
  - Is conducted in a manner that is consistent with college Policy;
  - Includes timely notice of meetings at which the Respondent may be present;
  - Provides timely 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 Respondent.
- Written notification of the result of the complaint resolution process (subject to any redactions required by federal law);
• To present relevant witnesses and ask questions of the witnesses at disciplinary hearings.
• An outcome based solely on information presented as part of the complaint resolution process;
• Preservation of privacy, to the extent possible and allowed by law.
• To not take any reviews or examinations between the time they are charged and two days after the outcome is delivered.
• Respondents shall not be required to testify against themselves, but the hearing officer or disciplinary body may request other students to testify against them.

Complainants/reporting parties have the right to be present during any hearing. At their request and in arrangement with the Dean of Students Office, Respondents shall not be required to meet classroom obligations the day following the hearing. Any student alleged to have engaged in Sexual Misconduct, Stalking, or Relationship Abuse and Violence who is subject to disciplinary proceedings before the Sexual Misconduct Hearing Officer 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 students, faculty, and staff, and for specific student conduct mechanisms and procedures. The Trustees specifically delegate to the President the authority and responsibility for supervision and direction in both areas, and direct the President 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 disciplinary 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 Associate Dean of Students/Director of Residence Life, who will consult with the Dean of Students for action in accordance with the disciplinary 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 and the Code of Responsibility 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, the President may suspend the operation of the amendment pending review by the Board of Trustees. If the President does not act to suspend its operation, the President 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 chair 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 Chair of the Honor Council; 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.
Part II: Sanctions for Violations
The outcome of a student conduct hearing typically encompasses sanctioning that is:

1. Educational
   • Content knowledge - the sanction is designed to help the student to increase knowledge of content regarding a specific topic or special issue.
   • Self-reflective - the sanction is designed to help the student to increase self-awareness of their behavior, meaning the appropriateness or inappropriateness.
   • Impact on personal well-being - the sanction is designed to help the student to increase their self-awareness of the potential physical or psychological impact of their behavior.
   • Impact on personal future - the sanction is designed to help the student to increase their self-awareness of the potential impact their behavior may have on relationships with others, academic major or course of study, or future career.

2. Restorative - the sanction is designed to help the student to increase their understanding of how their behavior impacted or potentially could have impacted others. In addition, the sanction may be designed to help the student to increase understanding of community and/or societal standards, the reasons for them, and how their actions may adversely affect their successful interaction within the community and/or society. The sanction is also intended to reestablish balance and order to the affected community.

3. Accountable - the sanction is designed to provide accountability for violations of the Student Conduct Code or other College standards. In some cases, the sanction may be designed to separate a student from the institution. Consideration will be given to the following when determining the appropriate sanction(s):
   • The seriousness of the violation;
   • Whether there are minimum sanctions already established for the violation;
   • Consequences enacted in similar cases;
   • Whether or not the respondent was cooperative and honest;
   • The specific circumstances surrounding the violation; and
   • Whether or not the student has a prior conduct record(s), especially for similar offenses or for a pattern of behaviors inconsistent with the Student Conduct Code and any other community standards.

Range of Permissible Outcomes
The range of permissible outcomes for disciplinary action, whether imposed by action of the Honor Council or the Code of Responsibility Council includes the following categories. Outcomes can only be assigned from one category. As appropriate, multiple sanctions (in category 3) may be assigned.

1. Conversational Resolution: is a sanction generally utilized for first-time, low-level violations. Conversational Resolutions are meant to provide students an opportunity to discuss behavioral expectations of Davidson College, as well as to strategize ways to prevent further misconduct through student decision-making. Students are generally afforded the conversational resolution only once during their tenure.

2. Educational Resolution: This consequence is generally utilized for first-time, low-level violations and indicates that the behavior was inappropriate and warrants a modification for the future. An educational resolution provides an opportunity to discuss behavioral expectations, as well as better decision-making. Unlike other sanctions, an educational resolution does not appear on a student’s conduct record, but a record of such result is maintained in the Office of the Dean of Students and may be taken into consideration if additional violations occur. Students are generally afforded the educational resolution consequence only once (1) during their tenure at Davidson.

3. Sanction(s):
   A. Warning: Notice, oral or in writing, that additional violations may be cause for more severe disciplinary sanctions.
   B. Apology: Oral or written apologies to persons or groups upon whose rights the Respondent may have infringed. This may involve a meeting under administrative supervision.
   C. 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. Social probation
status may be communicated to academic or administrative offices. Violation of the terms of social probation, the Code of Responsibility, or the Honor Code during the period of probation will normally result in suspension from the college.

D. **Mandatory educational programming**: which may include but is not limited to alcohol and/or drug abuse awareness/prevention programming, and other educational programming deemed appropriate.

E. **Referral**: To appropriate counseling or to appropriate community resources.

F. **Community Service**: A reasonable number of hours of community service rendered to a specified person or group for restitution of damages.

G. **Loss of status in housing lottery**: Restrictions may be placed on a student's participation in the housing lottery.

H. **Removal from campus housing**: a student may be removed from campus housing with no refund provided.

I. **Restricted Access**: limiting campus access to certain areas of campus and/or specific times of day.

J. **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.

K. **Suspension* for a defined 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 typically begins 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 or Code of Responsibility Council. When students are suspended, they shall ordinarily leave the campus within forty-eight hours after the conclusion of the disciplinary process. A suspended student shall not come on campus without the permission of the Dean of Students.

L. **Indefinite suspension***: Termination of student status, typically immediately, subject only to formal readmission, with no right to petition for readmission before the expiration of one calendar year from the date of suspension. 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 or Code of Responsibility Council. When students are suspended, they shall ordinarily leave the campus within forty-eight hours after the conclusion of the disciplinary process. A suspended student shall not come on campus without the permission of the Dean of Students.

M. Any other reasonable sanction that is directly applicable to the offense.

*A definite or indefinite suspension sanction for the Honor Code violation of cheating may include an 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. If a Code of Responsibility violation is not sanctioned until after the semester in which the violation occurred, and the sanction includes suspension for the semester in which the violation occurred, authorized withdrawals (W/A) will be assigned for all courses for that semester nullifying any earned grades.

A. **Multiple Sanctions for Single Violations**
   Multiple sanctions for single violations may be imposed by action of the Honor Council, the Code of Responsibility Council, the Sexual Misconduct Hearing Officer, or through a Mutual Resolution process.

B. **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 page 44) 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 the Dean’s 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, page 21.

1. Initial determination to proceed on charge
Upon receipt of a formal complaint, and following such investigation as the Dean considers appropriate, the Dean determines whether further proceedings are warranted. If the Dean determines that they are not, the complainant is notified of this determination and the charge is dropped. If the Dean determines that further proceedings are warranted, a formal statement of the charge is prepared and issued to the person(s) alleged to have violated the Honor Code or Code of Responsibility (the “Respondent”).

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, the Dean may decide that the matter can best be handled by the Honor Council or Code of Responsibility Council. In such case, the complaint shall be referred directly to the Student Solicitors or Associate Dean or designee for matters that could be heard by the Code of Responsibility Council. For Honor Council matters, the Student Solicitors 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 Respondent. For matters to be heard by the Code of Responsibility Council, the Associate Dean or designee will make a determination based on the available information and evidence. In such cases the Dean may not testify before the Honor Council or Code of Responsibility Council upon their own initiative, nor be required to testify, against the Respondent.

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 Respondent promptly and in any event within ten days after receipt of the complaint via email. 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 their 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, the Dean notifies the Respondent 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 Respondent unless the disciplinary proceedings are re-instituted and the student is found responsible for a violation; 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 their discretion refer the matter for imposition of a disciplinary sanction to the Honor Council or the Code of Responsibility Council. If the matter is referred to the Honor Council it proceeds in accordance with the procedure set forth in Part III, Sections E and H 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, they proceed with the administrative conference. The Dean informs the Respondent at the outset of the conference that anything the student says may be used against the student in the disciplinary proceedings. The Respondent will be asked if they take responsibility for the charge(s) then be notified what hearing body the charge will be referred to.

a. Alleged Honor Code violations are heard by the Honor Council.

b. Alleged Code of Responsibility violations are heard by the Code of Responsibility Council or resolved through a Mutual Resolution process. The Associate Dean determines if a case is appropriate for a Mutual Resolution process based on the nature of the case and the timeliness to resolution. If the case is not appropriate for the Mutual Resolution process, it will be referred to the Code of Responsibility Council.

6. **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. 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 the Code of Responsibility Council**

1. **Organization**

The Code of Responsibility Council will be composed of an Associate Dean or designee, who shall act as Chair, a faculty member randomly chosen from the Student Conduct Council, and three students randomly chosen from the Honor Council.

2. **Function and Authority**

The function of the Code of Responsibility Council is to hear and determine all charges of violation presented on referral from the Dean under the provisions of Part III. However, the Code of Responsibility Council shall not have jurisdiction to hear or determine cases that include allegations of Sexual Misconduct, over which the Sexual Misconduct Hearing Officer has jurisdiction.

3. **Procedures**

   The procedures of the Code of Responsibility Council are as prescribed in Part III, Section E.

E. **Hearing Procedures before the Code of Responsibility Council**

1. **Setting the hearing**

   Promptly upon receipt of referral of a charge from the Dean, the Dean of Students Office will confer with Code of Responsibility Council members and the alleged student to ascertain the earliest practicable date for hearing, taking into account the time required for adequate preparation. The Dean of Students Office then sets a hearing time, date, and place, docket it on the Council records, and gives written notice of the setting to the members of the Council and the alleged student. The hearing date shall be not less than three days nor more than ten days from the date of service of notice upon the alleged. The Respondent may on their own initiative waive the three-day limit.
2. **When Respondent appears**

   The hearing shall proceed as follows:
   a. The Chair shall read the statement of charge. The Chair asks the Respondent whether the Respondent takes responsibility or does not take responsibility for the alleged violation(s).
   b. If the Respondent takes responsibility, they may then make any statement they desire in mitigation or extenuation of their behavior. The Council shall then go into executive session to consider and determine the sanction, if any, to be imposed.
   c. If the Respondent does not take responsibility, the Council proceeds to hear evidence as to the matter in dispute. The Council then determines in executive session whether a violation has occurred. If the Council determines that a violation did occur, the hearing resumes and the Respondent may present any mitigating circumstances in regard to the suggested sanction. The Council then goes into executive session to determine sanction(s).

3. **When Respondent does not appear**

   If the Respondent does not appear, the fact that the person charged has been duly notified shall be verified. If it is determined that they have 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:
   a. The Chair reads the statement of charge;
   b. Witnesses and other evidence in support of the charge are presented;
   c. The Council then determines in executive session whether a violation as charged occurred and what sanction, if any, to impose.

4. **Notice of Action**

   The Code of Responsibility Council may inform the Respondent 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 Chair of the Council shall, no later than three days from formal closing of the hearing, give to the Respondent a written Notice of Action, which shall specify with clarity any sanction imposed.

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

   a. **General conduct of hearing**

      The Chair of the Code of Responsibility 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.

   b. **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.

   c. **Burden and standard of proof**

      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.

   d. **Right to question witnesses**

      The Respondent, and Council members, shall have the right, within bounds of general relevance, to question all witnesses at the hearing. The Respondent shall not be required to testify against themselves, but the Code of Responsibility Council may request other students to testify.

   e. **Personal support for Respondent**
A Respondent may request additional persons (e.g., family member, minister, lawyer) be allowed to sit in a nearby waiting room during the proceedings of the Code of Responsibility Council. To facilitate personal support and counsel to the alleged, 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.

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

g. **Pledge of confidentiality and honesty**
All students and faculty participating in a disciplinary hearing shall pledge to maintain in confidence all matters presented or discussed at the hearing. All witnesses in a disciplinary hearing shall pledge to present honest testimony. If the Chair of the Code of Responsibility Council has reason to believe that a student lies during the hearing, the student may be formally charged with lying.

6. **Imposition of sanctions.**
c. **Standards**
Following the hearing, 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 Respondent’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

d. **Number of Code of Responsibility 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 Code of Responsibility 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 Respondent to appeal as provided in Part III, Section I.

F. **Mutual Resolution Process**
1. **Function and Authority**
The Associate Dean or designee facilitates the Mutual Resolution process. However, the Associate Dean does not have jurisdiction to resolve cases that include allegations of Sexual Misconduct, over which the Sexual Misconduct Hearing Officer has jurisdiction.

2. **Mutual Resolution Procedures**
If the Associate Dean determines that the Mutual Resolution process is appropriate, they will offer the Respondent the option of a Mutual Resolution during the Associate Dean’s administrative conference. The Respondent has three days to respond to an offer of a Mutual Resolution. A Respondent who accepts a Mutual Resolution must (i) voluntarily accept the determinations on responsibility and sanction(s) proposed by the Associate Dean; (ii) waive their right to a Code of Responsibility Council Hearing; and (iii) waive all appeal rights.

If the Respondent does not accept the proposed Mutual Resolution, the Associate Dean shall refer the case to a Code of Responsibility Council hearing. Information provided by in a Mutual Resolution process, including the
G. 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 vice chair to serve one-year terms. The vice chair of the Council shall be responsible for assigning members to a hearing on a rotating basis to ensure 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 Hearing Officer has jurisdiction.

3. Procedures
The procedures of the Honor Council are as prescribed in Part III, Section H.

H. 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 their 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 alleged to have violated 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 Respondent 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 their 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.

I. 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 Vice Chair of the Honor Council of its receipt. The Vice Chair then promptly confers with the Solicitors, the Respondent, and the Defense Advisors to ascertain the earliest practicable date for hearing, taking into account the time required for adequate preparation. The Vice Chair 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 Respondent 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 Respondent. The Respondent may on their own initiative waive the three-day limit.

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

a. The Student Solicitors read the statement of charge. The Chair asks the alleged whether the Respondent takes responsibility or does not take responsibility for the alleged violation(s).

b. If the Respondent or their representative takes responsibility for the violation, the Respondent may then make any statement he or she desires in mitigation or extenuation, and may present a reasonable number of witnesses in substantiation of their 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 Respondent or their representative. The Council shall then go into executive session to consider and determine the sanction, if any, to be imposed.

c. If the Respondent, or their personal representative, do not take responsibility for the violation, 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 Respondent or their 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 Respondent does not appear

   If the Respondent 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 the student 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:
   a. the Solicitors read the statement of charge;
   b. the Solicitors present witnesses and other evidence in support of the charge;
   c. 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 Respondent 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 Vice Chair of the Council shall, no later than three days from formal closing of the hearing, give to the Respondent a written Notice of Action.

5. General rules of procedure; rights secured to Respondent

   a. 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 Respondent as herein provided.

   b. 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 they do not sit.

c. 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.

d. 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 Respondent does not take responsibility, no violation is found unless two-thirds of the Council hearing the matter concurs in finding it.

e. Open or private hearing
The Respondent 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 Vice Chair of the Honor Council shall give public notice of an open hearing. The outcome and sanctions shall be made available to the public within 48 hours of the decision, but not before the Respondent 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.

f. 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 submit questions to adverse witnesses who testify at the hearing. The Respondent shall not be required to testify against himself or herself, but the Honor Council may request other students to testify. The Council may question all witnesses.

g. Personal support for Respondent
A Respondent 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 Respondent, 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.

h. Provision of record for review
The Vice Chair 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 Respondent. The digest of the hearing shall include defense statements of mitigating circumstances. On written request by the person charged to the Vice Chair of the Council at least one day prior to the hearing, a verbatim record, as by tape recording, shall also be provided.

i. 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 Sexual Misconduct Hearing Officer has reason to believe that a student lies during the hearing, the student may be formally charged with 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 determined 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 their 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 I.
   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, the Dean shall refer it to the Code of Responsibility Council as provided in Part III, Section A.

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. Appeals from any determination of a violation by an organization or sanction shall be the same as those for an individual.

J. **Appeal Procedures from Decisions of the Code of Responsibility Council 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 Code of Responsibility Council 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 Vice Chair 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 Vice Chair of the Honor Council is unavailable, then the Chair of the Honor Council will designate a member of the panel which heard the case to be present. The Associate Dean of Students or designee may be available to provide clarification of any issues during a Review Board hearing for Code of Responsibility Council 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 Honor Council, or Code of Responsibility 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 I, Number 5(b), i.e., why the evidence upon which the person was found responsible 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 Code of Responsibility Council 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 Code of Responsibility Council, 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 Code of Responsibility Council and with the Vice Chair 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

a. 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.

b. The Review Board will meet in executive session to read the appeal and review the digest of the Honor Council or the Code of Responsibility Council.

c. The Vice Chair of the Honor Council, the Solicitors, the appellant, and the Defense Advisors (if requested by the appellant) will then be admitted. No other witnesses, including character witnesses, may appear.

d. The appellant or their 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
e. The Solicitors shall make their response to the appeal. They also shall be questioned by the Review Board if necessary.

f. The Vice Chair of the Honor Council shall be available to provide clarification of any issues. If the Secretary to the Honor Council is unavailable, then the Chair of the Honor Council will designate a member of the panel, which heard the case to be present.

g. The Dean of Students, or designee, may be available to provide clarification of any issues during a Review Board hearing for disciplinary appeals.

h. 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.

i. The Chair of the Review Board will inform the appellant of its decision with the Notice of Action within two days. The Chair will also inform, Defense Advisors, the Dean of Students, The Dean of Student’s Executive Assistant and the Vice Chair 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;
   e. where the student took responsibility, 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 Chair 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 Code of Responsibility Council, 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 Code of Responsibility Council. 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. Pending appeals and the Commencement ceremony
Seniors who have been formally charged with violations of the Honor Code or Code of Responsibility, or with other pending student conduct matters, and seniors with pending appeals shall not be eligible to graduate until the disciplinary matter is finally concluded, and must receive the permission of the Dean of Students or the President to participate in the Commencement ceremony as an August graduate.

13. 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 and as appropriate, consult with representatives from the Dean of Students Office or members of the Honor Council, Code of Responsibility Council or Dean who heard the student's case.

14. 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 as constituted by the Student Conduct Council. The committee will seek to determine the suitability of candidates as to their appreciation of the College's Statement of Purpose, their understanding of the Honor Code and Code of Responsibility, and their seriousness of purpose. The committee shall certify candidates for these offices before they stand for election.

COVID-19 Shared Responsibilities
Davidson College students have agreed to abide by shared responsibilities for the 2021-2022 academic year including health and safety protective measures which may include but are not limited to wearing face coverings, physical distancing, and limiting gathering sizes. Guidelines will be adjusted if the health environment on campus changes. Current campus guidelines can be found on the Davidson College Fall 2021-Spring 2022 website (https://www.davidson.edu/fall-2021-spring-2022). Students who fail to adhere to the health and safety measures will be referred directly to the Dean of Students Office and not to an Honor Code or Code of Responsibility process. Guidelines on these websites supersede any policies in this Student Handbook. The Dean of Students Office may determine that repeated and/or egregious behavior may result in a mandatory personal leave as outlined in the Protocols to accompany personal leave which can be found on the Personal Leave website (https://www.davidson.edu/offices-and-services/registrar/academic-regulations/personal-leave).

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, relationship abuse and violence, and stalking, 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, relationship abuse and violence, or stalking. 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 determine 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, relationship abuse and violence, or stalking 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 action of sexual misconduct, relationship abuse and violence, or stalking 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 and violence, the College will use the procedures outlined in this Policy to take reasonable, prompt, and appropriate action to respond.


(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. Students are not required to take any action when reporting sexual misconduct and seeking immediate assistance does not automatically launch a Formal Complaint or investigation. 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 Student Health and Well-Being (doctor, nurse, or counselor) or the Chaplain’s Office. For more information on confidential reporting, see the Confidential and Protected Resources section.

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. Campus Police can also contact other on- and off-campus resources to assist you including the Dean of Students On-Call representative.

**STUDENT HEALTH AND WELL-BEING**

- **Main Phone:** 704-894-2300 (weekdays 7:30 am to 4:30 pm)
- **Nurse or Counselor on Call:** 704-337-7047 (after hours and weekends)

Student Health and Well-Being 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

The Health is a confidential resource who can help you understand your options and resources. Additionally, the Health Educator can provide guidance and support.
RESIDENCE LIFE STAFF

The Residence Life staff can help connect you with on- and off-campus resources.

CHAPLAINS’ 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 can also 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/Crisis Hotline: 704-332-2513 (24 hour)
Victim & Legal Assistance: 704-336-4126
(Domestic Violence)

Salvation Army Center of Hope Women and Children’s Shelter: 704-348-2560

Mecklenburg County Women’s Commission: 704-336-3210

Domestic Violence Healthcare Project: 704-446-3999
(Based at Carolinas Medical Center)

Project Safe: 704-614-7212
(Based at Presbyterian Hospital)

Sexual Trauma Resource Center: 704-332-9034

Servicios en Español:

Shelter for Battered Women Crisis Hotline Victim & Legal: 704-332-2513 (24 hour)
Assistance – Domestic Violence: 704-336-4126

Programa Confianza: 704-336-3210
Preservation of Evidence If you have experienced sexual assault, evidence of the assault may be left on your body. If it is safe for you to do so, 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 do 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 do 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, complaint resolution process, and/or to police.

III. 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.

The definitions are divided into two sections. Section A states prohibited conduct as defined by the 2020 amendments to the implementing regulations, 34 C.F.R. Part 106, of Title IX of the Education Amendments Act of 1972 (“Title IX”). Section B provides definitions of offenses prohibited by the College’s sexual misconduct policy that are outside of the requirements stated in Title IX.

Section A: Prohibited conduct as defined by Title IX of the Education Amendments Act

Jurisdiction and Scope Section A of this Policy applies to student conduct that occurs on campus or in a College’s Education Program or Activity. Section A states the definitions of prohibited conduct as promulgated by Title IX. Section A does not apply to conduct that

1. Did not occur in a College Program or Activity;
2. Did not occur against a person in the United States; or
3. Conduct that occurred when the Complainant was not participating or attempting to participate in a College Program or Activity at the time the complaint was filed.

Section A applies to all Formal Complaints of sexual misconduct. Therefore, all Formal Complaints will be reviewed under Section A of this policy to determine if the alleged conduct is a potential violation under Section A. If the alleged conduct does not meet the requirements for a Formal Complaint under Section A of this policy, then the alleged conduct will be reviewed under Section B of this policy.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

a. Quid Pro Quo: An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct, or
b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s Education Programs or Activities.

Sexual Harassment, as a broad category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

**Sexual assault** Any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent. Sexual Assault includes:

1. 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 the consent of the Complainant.

2. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant incapacity.

3. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4. Sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence** Violence committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

**Domestic Violence** Any violence that may constitute felony or misdemeanor crime of violence committed: (a) by a current or former spouse or intimate partner of the Complainant, (b) by a person with whom the Complainant shares a child in common, (c) by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, (d) by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of North Carolina, or (e) by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of North Carolina.

**Stalking** 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.” Under this section, “course of conduct” is defined as 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; and “substantial emotional distress” is defined as a significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Section B: Prohibited conduct as defined by Davidson College**

**Jurisdiction and Scope** Section B of this Policy applies to the on-campus conduct of all students. Section B provides definitions of offenses prohibited by the College’s sexual misconduct policy that are outside of the requirements stated in Title IX. It also applies to off-campus conduct of students that, in the College’s judgement, 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.

Section B of 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.

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

1. **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."

2. **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.

3. **Non-Consensual Sexual Contact** "Non-Consensual Sexual Contact" is defined as touching of intimate body parts such as genitalia, groin, breast, buttocks, 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.

4. **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 while knowingly infected with a sexually transmitted infection (STI) or Human Immunodeficiency Virus (HIV) without informing the other person of the infection.

5. **Sexual Harassment** "Sexual Harassment" is defined as unwelcome conduct that has the effect of substantially interfering with a person's work or educational opportunity; and

   i. conduct is sufficiently severe, pervasive, and objectionably offensive to create an intimidating, hostile, or offensive work or educational environment such that the person is effectively denied equal access to institutional resources and opportunities; or

   ii. the submission to or rejection of such conduct is used as the basis for decisions affecting an individual’s employment, education, or participation in College Programs or Activities.

Sexual harassment denies an individual dignity and respect and may take on different forms. It includes, but is not limited to the following examples when the conduct meets the standards of the definition above:

   a. Unwelcome verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of that individual’s gender or gender identity (or that of an individual’s relatives, friends, or associates);

   b. Unwelcome threats, derogatory comments, jokes, innuendos, insults, slurs, epithets, negative stereotyping, and other similar conduct that relates to gender or gender identity; or

   c. 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 or gender identity.

Sexual Harassment may further include unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome conduct of a sexual nature when the conduct meets the standards of the definition above and the following conditions are present:
a. 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;

b. 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;

c. The conduct has the purpose or effect of substantially interfering with an individual’s work or academic, athletic, or other educational performance; or

d. 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.

All relevant circumstances are examined as a part of a sexual harassment determination including, but not limited to, whether the conduct is verbal, physical, or electronic; the frequency of the conduct; the severity of the conduct; the relationship of the individuals involved; whether the conduct was physically or psychologically threatening or humiliating; whether the conduct unreasonably interfered with work performance (for employees) or academic performance (for students). Through this examination potential harassment is distinguished from behavior that may be disagreeable or uncomfortable, but is protected by the College’s Constitution or is related to the appropriate facilitation of academic instruction and advising or the responsibilities of supervisors.

6. **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.

7. **Domestic Violence** “Domestic Violence” is defined by the Clery Act 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.

8. **Dating Violence** “Dating Violence” is defined by the Clery Act 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.

9. **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:

a. “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.

b. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the individual being stalked.

c. “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

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

2. **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.

3. **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., the understand the who, what, when, where, why, or how of the sexual activity) and/or is physically helpless. Incapacitation can result from sleep, unconsciousness, mental or physical helplessness, ingestion of substances, or lack of awareness that sexual activity is taking place.
   a. 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 judgements; and capacity to appreciate the nature and the quality of an act.
   b. Evaluating incapacitation also requires an assessment of whether the Respondent knew or should have known that the Complainant was incapacitated. In determining whether the Respondent should have known that the Complainant was incapacitated, the standard is whether a reasonable sober person should have known that the 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, unconsciousness, and going in or out of consciousness.

4. **Clear and Convincing Standard of Evidence** The Hearing Officer considers the greater weight of the credible evidence to determine whether a Policy violation occurred. This standard, referred to as the “clear and convincing standard,” means the Hearing Officer, after considering all evidence, must find that the alleged violation is highly and substantially more likely to be true than untrue.

5. **Education Program or Activity** Locations, events, or circumstances where the College exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned and controlled by the College or by a student organization that is officially recognized by the College.
6. **Bias** Bias is defined as an unfair prejudice in favor or against a student-party based on a student-party's race, ethnicity, national origin, sex, gender identity, sexual orientation, disability, age or religion and associated stereotypes.

7. **Reporting Party** An individual who reports an experience of sexual misconduct, relationship abuse and violence, or stalking. An individual who is a Reporting Party has either chosen not to file a Formal Complaint or is still considering whether to file a Formal Complaint regarding their experience.

8. **Formal Complaint** A document filed by a Complainant or the Title IX Coordinator alleging sexual misconduct against a Respondent and requesting that the College investigate the allegation of sexual misconduct.

9. **Days** When computing time periods for actions in this Policy, the following rules apply: (a) Exclude the day of the event that begins the period (b) Exclude any intermediate Saturdays, Sundays, and college holidays (i.e., only business days are counted) (c) When an act must be done within a specified time, the act must be completed by 5 p.m. on the last day of the period.

10. **Complainant** The “Complainant” is the individual who files a Formal Complaint of sexual misconduct, relationship abuse and violence, or stalking. 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.

11. **Respondent** The “Respondent” is the individual whose conduct is alleged to have violated this Policy and whose conduct is being investigated.

12. **Investigator** The “Investigator” is an individual who has received specialized training in conducting sexual misconduct investigations and has been assigned by the Title IX Coordinator 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; 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.

13. **Advisor** An “Advisor” is an 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 College will provide a list of trained Advisors available to provide guidance and support to the student. Students are not required to choose an Advisor from the list of trained Advisors.

14. **Support Person** The Complainant and Respondent may each have one Support Person present at any meeting or proceeding related to a complaint resolution under this Policy, to provide support. A Support Person may be in addition to an Advisor. A Support Person cannot be a party to the complaint (i.e. a witness, co-complainant, or co-respondent). The Support Person has no formal role in the investigation process. The Support Person’s role in any meeting or proceeding during the complaint resolution process is limited to requesting reasonable breaks to confer privately with the Complainant or Respondent. Support Persons may not record the meetings, take notes, ask questions, or otherwise actively participate in meetings. While the College will make reasonable efforts to accommodate the schedule of a party’s Support Person in scheduling meetings, a Support Person’s inability to attend a meeting does not constitute an unavoidable conflict that would necessitate rescheduling a meeting or proceeding. The College will provide a list of trained Support Persons available to provide guidance and support to the student. Students are not required to choose a Support Person from the list of trained Support Persons.

15. **Hearing Officer** The “Hearing Officer” is a trained individual selected by the College to facilitate hearings under this Policy. Upon the completion of a hearing, the Hearing Officer shall determine whether the Respondent is responsible for the alleged prohibited act(s). If the Hearing Officer finds that the Respondent is responsible, the Hearing Officer will determine sanctions.

16. **Appeal Board** The “Appeal 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 Appeal Board, and membership normally will be limited to full-time faculty and staff members. The Title IX Coordinator shall arrange for the Appeal Board members to receive annual training.

17. **Appeal Chair** The "Chair" of the Appeal Board shall preside over any meeting of the Appeal Board but shall not have a vote in the Appeal Board's deliberations. The Chair shall receive appeals, facilitate the appeal process for the Complainant and Respondent, and gather all relevant materials for the Appeal Board.

18. **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 harassment 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 supportive measures are appropriate. The Title IX Coordinator is available to advise all parties 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:

   **Carley Dix, Title IX Coordinator, Section 504 Coordinator and Compliance Officer, Chambers 1255, (704) 894-2591, cadix@davidson.edu.**

**IV. REPORTING**

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

**How to Report** The College provides the following options for reporting an act of sexual misconduct, relationship abuse and violence, or stalking. 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 supportive 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 may be reported to the Title IX Coordinator, who will reach out to schedule a meeting 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 Title IX Coordinator** Davidson College has a designated Title IX Coordinator to oversee compliance with Title IX, which prohibits discrimination on the basis of sex in Education Programs or Activities. Sexual harassment is a form of sex discrimination prohibited by Title IX. All reported incidents of sexual harassment 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 supportive measures, 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.

2. **Report to Campus 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. 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-campus 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. Although the College strongly encourages all members of its community to report violations of this Policy to law enforcement, you may file a report with Campus Police without having to file a report with any other law enforcement authority.
enforcement, it is your choice whether or not to make such a report and you have the right to decline involvement with the police.

**Campus Police Main Phone: 704-894-2178**

**Campus Police Officer on Duty: 704-609-0344**

3. **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:

   a. The counselors, doctors, and nurses at Student Health and Well-Being
   b. 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 Health Educator. Ordinarily, reports made directly to the 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 reported or if the Health Educator determines imminent health or safety concerns outweigh your request to keep the report in confidence.

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, relationship abuse and violence, or stalking 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 Title IX Coordinator requesting that the College initiate its internal complaint procedures;
3. Requesting supportive measures (e.g., a no communication order, alteration of class schedules or housing arrangements); and/or
4. 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:

1. Access support resources, such as counseling or, in appropriate cases, academic relief; and/or
2. Request supportive measures

**V. COLLEGE RESPONSE TO REPORTS**

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

29
The College will undertake an appropriate inquiry into all reports involving students, regardless of whether the Reporting Party 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 Reporting Party elects to pursue criminal charges, files a Formal Complaint, or requests the College not to pursue actions; 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 Reporting Party’s consent and will conduct any investigation and respond to a report consistent with the Reporting Party’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 Reporting Party requests confidentiality, does not provide the name of the Responding Party, or asks that the report not be pursued.

Requests for Confidentiality In cases where the Reporting Party 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:

1. The information provided suggests that the Responding Party has committed prior acts and/or suggests an increased risk that Responding Party will commit additional acts that would violate this Policy or are otherwise violent acts;
2. 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;
3. The alleged misconduct was committed by multiple perpetrators;
4. The alleged misconduct was perpetrated with a weapon;
5. The Reporting Party is a minor;
6. The College has other means to obtain relevant evidence (e.g., security camera footage, physical evidence, additional witnesses); and/or
7. 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 the Responding Party or reveal the identity of the Reporting Party.

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 Reporting Party 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: filing a Formal Complaint on behalf of the affected individual, in which case the College will be the Complainant.

The College cannot withhold the Reporting Party’s name from the Responding Party once the College takes action that affects the Responding Party.

Supportive Measures Upon receipt of a report of an alleged Policy violation, the College may determine that supportive measures are necessary to ensure a safe and nondiscriminatory environment for students. Supportive measures may include adjustments and preventative measures. Adjustments are changes made to a Reporting Party’s class or work schedule, academics, or housing. Preventative measures may include resources, conversations, and agreements that assist students with working through challenges and preventing future challenges. Adjustments and preventative measures are voluntary and may be modified or discontinued at any time at the request of the Reporting or Responding Party.

Supportive measures are separate from any sanctions the Hearing Officer may impose during complaint resolution procedures and are not disciplinary in nature. They are imposed by the Title IX Coordinator in
consultation with the Dean of Students and may be imposed at any time, regardless of whether formal
disciplinary action is sought by the Reporting Party or the College. They may be extended beyond and/or imposed
after complaint resolution procedures are completed.

Requests for Supportive Measures Students seeking the assistance of supportive measures should speak
with the Title IX Coordinator, who will evaluate and, if warranted, will coordinate the request. Supportive
measures may be requested by both the Reporting and Responding parties.

The specific supportive measures 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 needs expressed by the Reporting Party; the severity or pervasiveness of the
allegations; any continuing effects on the Reporting Party; whether the actions requested will be unreasonably
burdensome on the Responding Party, and whether the Reporting Party and Responding Party share the same
residence hall, class, or on-campus job location.

Supportive Measure Options

Possible adjustments:
1. Alteration of class schedules
2. Alteration of on-campus housing arrangements
3. Removal from on-campus housing
4. Changing work schedules or job assignments
5. Rescheduling of exams, papers, or other assignments
6. Taking an incomplete in a class
7. Authorized withdrawal from a class
8. Alternative course completion options
9. Voluntary leave of absence
10. Access to counseling services
11. Providing an escort to ensure safe movement between classes and activities
12. Providing academic support services
13. Any other remedy that can be tailored to the involved individuals to achieve the goals of this Policy

Possible preventative measures
1. Conflict Coaching – Students may seek guidance and resources from the Title IX Coordinator or trained
   staff person to navigate conflict productively and independently.
2. No Communication Order – A No Communication Order is an order sent to both the Reporting Party and
   Responding Party by the Dean of Students Office restricting the parties from communicating with each
   other through any format. This order does not require that parties leave physical spaces on campus if the
   other person is present. The order only requires that parties refrain from communicating with each other.
   Failure to abide by a No Communication Order may be a violation of the Code of Responsibility and will
   be referred to the Dean of Students for further review.
3. Shared Expectations Agreement – A Shared Expectations Agreement is a voluntary agreement between
   two students specifying how the Reporting Party and Responding Party will navigate certain areas,
   organizations, or activities on campus. Shared Expectations Agreements may be put in place after the
   issuing of a No Communication Order. Shared Expectations Agreements are facilitated by the Title IX
   Coordinator. Before an agreement is finalized the Title IX Coordinator must speak with the Responding
   Party to understand how the Responding Party engages with that area, organization, or activity in order
to determine if it is reasonable to restrict the Responding Party’s access. Requests or agreements that are
   unreasonably burdensome on either party will not be approved by the Title IX Coordinator. Additions and
   edits to the Shared Expectations Agreement may be requested by either party. Shared Expectation
Agreements are agreements between two students, therefore, failure to abide by a No Contact Agreement may result in a renegotiation of the agreement or referral to the Dean of Students Office if actions violated the No Communication Order. Failure to abide by aspects of a Shared Expectation Agreement that are not part of a No Communication Order will not be referred to the Dean of Students Office.

4. Educational Discussion – Educational discussions are a meeting with the Title IX Coordinator or Dean of Students Office to discuss behavior concerns that have been reported to the Title IX Coordinator in which the Reporting Party has requested educational intervention. The purpose of the meeting is to provide the Responding Party with information and guidance allowing the Responding Party to move forward positively with individually identified support and resources.

**Reporting Violations of Supportive Measures** All individuals are encouraged to report concerns about failure of another individual to abide by restrictions imposed by a supportive measure. Failure to abide by restrictions imposed by a supportive measure may be a violation of the Code of Responsibility.

**VI. FORMAL COMPLAINT RESOLUTION PROCESS**

**Filing a Formal Complaint** To initiate the College’s internal complaint procedures, the Complainant must file a Formal Complaint with the Title IX Coordinator. A Formal Complaint must include, at a minimum, the time, place, and type of Prohibited Act(s) alleged, a 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 Formal 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. The affected individual will be entitled to receive all notifications due to a Complainant under this Policy, including notifications regarding the outcome of the complaint resolution procedures.

**Review of Complaint** Upon receipt of a Formal Complaint, the Title IX Coordinator will first determine whether the allegations in the Formal Complaint, if proven, would constitute a violation of Section A of this Policy. Section A encompasses definitions of charges as stated by Title IX of the Education Amendments Act. The Title IX Coordinator will review the complaint for the following requirements:

1. If proven would the conduct alleged in the Formal Complaint constitute a prohibited act under this policy;
2. Was the Complainant, at the time of filing a Formal Complaint, participating in or attempting to participate in the Education Programs or Activities of Davidson College;
3. Did the conduct occur in a Davidson College Program or Activity;
4. Did the conduct occur between parties while in the United States.

If the conduct does not meet the above requirements the Title IX Coordinator will dismiss the Formal Complaint under Section A. Dismissal of a Formal Complaint may be appealed (See IX. Appeals). Written appeals must be sent to the Chair of the Appeal Board within five (5) days of receiving the notice of dismissal.

Such a dismissal does not preclude action under Section B of this policy. Section B encompasses definitions of prohibited conduct as stated by the Davidson College Sexual Misconduct Policy. The Title IX Coordinator will then determine whether the allegations in the Formal Complaint, if proven, would constitute a violation of Section B of this Policy. If not, the Title IX Coordinator will dismiss the complaint and no further action will be taken on the allegations through the College’s Formal Complaint procedures.

**Notice of Investigation** If the allegations would constitute a violation of Section A or Section B of this Policy, then the Title IX Coordinator 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(s), a statement regarding confidentiality of the process, and a statement on how the Policy prohibits retaliation. The Title IX Coordinator 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 trained Advisors.

**Role 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 Complainant or Respondent. Notices and information related to complaint resolution under this Policy will be provided to the parties and their Advisors. Advisors are required to keep such materials confidential unless the Advisor is otherwise authorized to disclose the information contained therein.

The Advisor has no formal role in the investigation process. The Advisor's role in any meeting during the investigation is limited to requesting reasonable breaks to confer privately with the advisee. Advisors may not record the meetings, take notes, ask questions, or otherwise actively participate in meetings.

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.

The College will provide a list of trained Advisors available to provide assistance and support to the student. Students are not required to choose an Advisor from the list of trained Advisors. Parties must provide the Title IX Coordinator with notice of the identity of their Advisor of choice prior to the Advisor attending a meeting or proceeding under this Policy, at least one (1) day in advance.

**FORMAL RESOLUTION OPTIONS**

**A. 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 Hearing Officer, and appeal on the ground of procedural error. In such cases, the Dean of Students, in consultation with the Title IX Coordinator, will determine the sanction(s) and will notify Respondent.

**B. Adaptable Resolution**

Adaptable resolution is a voluntary, structured process that facilitates communication between a Complainant and Respondent (in person or via shuttle negotiation) with the goal of addressing prohibited conduct through a resolution agreement agreed to by both parties. The format of adaptable resolution is tailored to meet the needs of the Complainant and Respondent. Adaptable resolution allows parties to create an agreement that meets the interests of both parties based on the harm experienced without formal disciplinary action against the Respondent. The time frame for completion of adaptable resolution will vary based on the issues that need to be addressed by the parties and the format that parties have chosen. The College will attempt to complete an adaptable resolution within thirty (30) days of the parties agreeing to engage in an adaptable resolution process.

Adaptable resolution for Formal Complaints is available only in appropriate cases. The Title IX Coordinator has the discretion to determine if it is appropriate to use an adaptable resolution for a sexual misconduct complaint. The complaint will be resolved by the Title IX coordinator or a trained individual appointed by the Title IX Coordinator. If the Title IX Coordinator believes that they or the trained individual cannot fairly facilitate the process due to bias or a conflict of interest, the Title IX Coordinator will appoint another trained individual. Complainant and Respondent may report any concerns about bias or conflict of interest to the Title IX Coordinator who will determine whether another trained individual should be assigned.

Requirements for Participation in an Adaptable Resolution Process:

1. Both Complainant and Respondent must consent in writing to engage in adaptable resolution, and either party may end the adaptable resolution process at any time, for any reason, prior to the signing of a resolution agreement.
2. Complainant and Respondent must agree that information learned and utilized by and between parties during an adaptable resolution process may not be used in any other College process including a formal sexual misconduct investigation.

3. If parties are unable to reach a resolution, the matter will be referred to investigation and adjudication of the Formal Complaint unless the complaint is withdrawn or dismissed.

4. If the adaptable resolution process results in a resolution agreed to by the parties and the Title IX Coordinator finds the resolution to be appropriate under the circumstances, the parties will sign the agreement, the agreement will be finally dispositive of the complaint, and the Formal Complaint will be closed.

Adaptable Resolution Process

The Title IX Coordinator will attempt to facilitate the parties’ resolution to the complaint. The Title IX Coordinator will meet with each party to determine what information, resources, and support each party requires to participate in an adaptable resolution. Neither the College nor the other party may pressure the Complainant or Respondent into participating in adaptable resolution or a specific adaptable resolution format. Complainant and Respondent may have an Advisor present at any meetings related to the adaptable resolution process.

After both the Complainant and Respondent have met with the Title IX Coordinator to review the adaptable resolution process and discuss their options, the Complainant and Respondent may voluntarily consent to participate in adaptable resolution. The Complainant and Respondent must agree on the process option that best meets their needs and resolution goals. Parties may choose one or more of the following options:

1. **Shuttle Negotiation** - In a shuttle negotiation, the facilitator shuttles between parties to assist in negotiating an agreement. This process allows parties the space to discuss concerns, address conflict, and share their perspective without having to directly interact with each other.

2. **Facilitated Dialogue** - The purpose of a facilitated dialogue is to provide a space where parties can share their perspectives in a structured manner with the assistance of a trained facilitator. Parties may engage in a facilitated dialogue with the intent of working towards an agreement, but this is not a required outcome.

Adaptable Resolution Agreement

Measures that may be agreed to through a resolution process include:

- Training and education for the Respondent;
- Referral to substance abuse counseling;
- Alterations to campus class or work schedules;
- Education plan for Respondent including scheduled meetings with appropriate campus resources;
- Restriction from participation in certain clubs, organizations, athletics or College events;
- Respondent taking a personal leave from the College for a semester or more;
- Any other appropriate measures agreed to by the parties.

When the parties have determined the measures that will make up their resolution agreement, the Title IX Coordinator will review the agreement to determine whether the agreement is consistent with the College’s Sexual Misconduct Policy.

Once the agreement has been reviewed and approved by all parties, the agreement will be finalized, and the Formal Complaint will be resolved. Once finalized, the Respondent is required to comply with the agreement and complete any actions required within the time period specified by the agreement. The complaint will be closed when the Respondent completes all actions stated within the agreement. If the Respondent does not complete all actions stated within the agreement, the original Formal Complaint may move forward with investigation and adjudication of the Formal Complaint. In addition, if the Respondent does not comply with restrictions stated in the agreement, the Respondent will be referred to the Dean of Students to determine if there has been a violation of the Code of Responsibility.

If no agreement is reached or the parties are unable to create an agreement that is consistent with the College’s Sexual Misconduct policy, the Title IX Coordinator will refer the matter to investigation and adjudication of the Formal Complaint unless the complaint is withdrawn.
C. Formal Resolution

Investigation into a Formal Complaint

1. 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; gather any physical or electronic records or documents to be included in an investigation report; and, where applicable, coordinate with Campus Police or other law enforcement agencies. Investigators prepare a written investigation report for the Dean of Students who will then make a determination about whether to proceed with adjudicating the alleged policy violations.

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 Title IX Coordinator may appoint a single Investigator or a team of Investigators to conduct the investigation. The Title IX Coordinator may appoint trained staff members or an external Investigator to serve as Investigators. An external Investigator may be appointed in the event that 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 Title IX Coordinator, in their discretion, deems it advisable.

2. Investigation 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 thirty (30) days.

3. Investigation Procedures

The investigation will be conducted in a prompt, fair, thorough, and impartial manner. The investigation will be free from presumptions of conduct or responsibility for either party. 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. Complainant and Respondent must identify all witnesses during the investigation process. Parties will be not be able to present information from witnesses during the hearing, if those witnesses were not identified and interviewed during the investigation process. 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.

4. 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 Title IX Coordinator for review. The Title IX Coordinator will redact (remove) the following information from the investigation report and exhibits:

a. Irrelevant information concerning sexual history, unrelated sexual activity, character, or incidents not directly related to the complaint (subject to the Title IX Coordinator’s determination that the information demonstrates a pattern of behavior);

b. Information that violates an individual’s privacy rights or that constitutes an unwarranted invasion of privacy; or

c. Information related to the longer-term impact of the alleged incident on Complainant or Respondent (which may be submitted as a separate impact or mitigation statement.)

5. Notice to Proceed and Option for Resolution Agreement

At the conclusion of the investigation, the Dean of Students will issue a written Notice to Proceed to Complainant and Respondent with a copy to the Title IX Coordinator. Where warranted, the Notice to Proceed will include any additions or revisions to the Policy violations alleged based on information gathered in the investigation. In rare circumstances, when the investigation finds no factual basis for the allegation, the Dean of Students, in consultation with the Title IX Coordinator, may dismiss the allegations prior to resolution by the Hearing Officer and shall notify Complainant and Respondent of the dismissal in writing. Parties may
appeal this dismissal. The appeal must be sent to the Chair of the Appeal Board within five (5) days of receiving the notice of dismissal.

6. **Review and Response to Investigation Report** Upon receipt of the Notice to Proceed, the Title IX Coordinator shall provide the Complainant, Respondent, and their Advisors access to the investigation information. The parties and their Advisors will have access to the information for ten (10) days. If the parties wish to respond to the information provided, they must send a written response to the Investigator(s) by the end of the 10-day review period. If new and relevant information is submitted during this review and response period, it will be shared with the Complainant and Respondent and each will have an opportunity to respond to the new information via the Investigator(s) within a time frame determined by the Title IX Coordinator. If the written reports of the parties’ responses include information deemed by the Title IX Coordinator to be irrelevant or immaterial, the Title IX Coordinator 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) days after its conclusion), the Title IX Coordinator 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 Hearing Officer.

The Title IX Coordinator shall notify the Complainant and Respondent when the final investigation packet has been issued to the Hearing Officer and shall arrange for the Complainant and Respondent to access the information. The Complainant, Respondent and their Advisors will have at least ten (10) days, before the scheduled complaint hearing, to review the final investigation packet. The parties may not make copies or take photographs of the information.

Formal Resolution Procedures

1. **Review of Final Investigation Packet** The Hearing Officer will review the final investigation packet and may request any additional relevant information from the Investigator or the parties before scheduling a hearing. 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 complaint hearing. The parties will have at least ten (10) days to review the final investigation packet before the scheduled hearing. The parties may not make copies or take photographs of the additional relevant information.

2. **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 Title IX Coordinator no later than ten (10) days after the Title IX Coordinator issued the final investigation packet. These statements would only be reviewed by the Hearing Officer and made part of the record if the Hearing Officer determines that a Policy violation occurred. In that event, the statements would be reviewed by the Hearing Officer in determining sanctions as described below. If either the impact statement or mitigation statement include information deemed by the Title IX Coordinator to be irrelevant or immaterial, the Title IX Coordinator shall redact (remove) the irrelevant information prior to distributing to the Hearing Officer. Specifically, the Title IX Coordinator shall redact:

   a. Irrelevant information concerning sexual history, unrelated sexual activity, character, or incidents not directly related to the complaint (subject to the Title IX Coordinator’s determination that the information demonstrates a pattern of behavior); or

   b. Information that violates an individual’s privacy right or that constitutes an unwarranted invasion of privacy.

3. **Hearing** The Hearing Officer will schedule a live hearing. Live hearings include hearings conducted in-person or via video technology such as Zoom. If the Complainant and Respondent request to participate in the live hearing via alternative arrangements, the Hearing Officer will arrange for the
parties to participate in the hearing outside the presence of the other party (e.g., by using a room divider, using separate conference rooms, using video technology such as Zoom).

The Hearing Officer will not receive new evidence, that was not previously included in the report, during the hearing. During the hearing, the Hearing Officer may ask questions of the Complainant, Respondent, witnesses or the Investigator(s). In addition, the Advisors of the Complainant and Respondent may ask the other party and any witnesses relevant questions and follow-up questions (this practice is also known as cross-examination). Only relevant questions may be posed by the party’s Advisors. The Hearing Officer will determine if a question is relevant before the Complainant, Respondent, or witness answers a question. If the Hearing Officer determines that a question is irrelevant, they will provide concurrent reasoning regarding why the question has been excluded.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer may not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the Hearing Officer will not draw an inference regarding responsibility based solely on a party’s or witness’ absence from the live hearing or refusal to answer cross-examination or other questions. The College will make reasonable efforts to accommodate the availability of a party’s witnesses when scheduling the hearing date. However, if after reasonable efforts have been made, a witness is unable to attend the hearing, this does not constitute an unavoidable conflict that would necessitate postponing the hearing.

If either Complainant or Respondent does not appear at the hearing, after confirmation by the Hearing Officer that the party was duly notified of the date and time of the hearing, the hearing 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 hearing that the Hearing Officer uses to make a determination. A Complainant or Respondent may have their Advisor present at the hearing, even if the party does not attend.

Role of Advisors Advisors will consult with the Complaint and Respondent to determine what questions the Complainant and Respondent have for the other party and any witnesses. The Complainant and Respondent may not directly ask questions during the hearing. Questions may only be posed by Advisors. If a party does not have an Advisor at the hearing, the College will select a trained Advisor to conduct cross-examination on behalf of that party.

Determination of Responsibility The Hearing Officer will apply a clear and convincing evidence standard when arriving at a determination of whether a Policy violation occurred. The Hearing Officer will base the determination solely on information presented as part of the complaint resolution process. The Hearing will exclude from consideration information in statements made by parties or witnesses who declined to be questioned during the hearing. The Hearing Officer will not base determinations of responsibility solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

4. Imposition of Sanctions If the Hearing Officer determines a Policy violation occurred, the Hearing Officer will impose sanctions and in determining sanctions, the Hearing Officer 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 Title IX Coordinator shall distribute to the Hearing Officer:

a. Any written impact statement or mitigation statement; and
b. Any items from the Respondent’s files deemed appropriate by the Dean of Students for the Hearing Officer’s consideration of the appropriate sanction(s), if any, to be imposed. These items could include, but not be limited to:

i. Disciplinary records;
ii. Criminal records;
iii. Police reports; and/or
iv. Supportive measures imposed.
5. **Notice of Action** The Title IX Coordinator shall distribute to the Respondent a notice of the Hearing Officer’s determination of whether a Policy violation occurred (including the specific prohibited acts alleged and the Hearing Officer’s determination of responsibility for each alleged prohibited act), the rationale for the decision, and the sanctions imposed, if any. In addition, the Notice of Action shall include a record of procedural steps taken during the Formal Complaint process and the procedures for filing an appeal. The Title IX Coordinator shall concurrently provide a copy of the Notice of Action to the Complainant, with any redactions as required by federal law. The Title IX Coordinator will make every effort to conclude the complaint resolution process and distribute the Notice of Action within two (2) weeks of the Hearing.

6. **Record of Hearing** The Title IX Coordinator shall maintain a record of the hearing proceedings including a recording of the hearing and any materials distributed to the Hearing Officer prior to a determination on sanctions (that is, any written impact statement or mitigation statement; and a copy of the items from the Respondent’s file considered by the Hearing Officer in determining appropriate sanctions, if any). The Title IX Coordinator shall provide an opportunity for the Complainant and Respondent to access the hearing record separately in a private setting at least two (2) days prior to the deadline for filing an appeal. The parties may not make copies or take photographs of the hearing record.

7. **Final Determination** The determination by the Hearing Officer both as to the fact of violation and as to any 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. In the event the Hearing Officer determines the Respondent is not responsible for the alleged Policy violation, the College may continue to provide supportive measures for the Complainant so long as those measures do not unduly burden or prejudice the Respondent.

8. **Sanctions** If the Hearing Officer determines no Policy violation occurred, then no sanction will be recommended. If the Hearing Officer determines a Policy violation occurred, the Hearing Officer will impose sanction(s), and in determining sanctions the Hearing Officer will attempt to fairly fit the sanction to the violation seen in total context.

**List of Sanctions** Possible sanctions include:

I. **Loss of Status in Housing Lottery**

II. **Eviction** Removal from on-campus housing.

III. **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.

IV. **Restricted Access** Limiting campus access to certain areas of campus and/or specific times of day.

V. **Suspension* for a defined 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 typically begins 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 or Code of Responsibility Council. When students are suspended, they shall ordinarily leave the campus within forty-eight hours after the conclusion of the disciplinary process. A suspended student shall not come on campus without the permission of the Dean of Students.

VI. **Indefinite Suspension** Termination of student status, typically immediately, subject only to formal readmission, with no right to petition for readmission before the expiration of the suspension.

---

38
of one calendar year from the date of suspension. 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 Hearing Officer. When students are suspended, they shall ordinarily leave the campus within forty-eight (48) hours after the conclusion of the disciplinary process. A suspended student shall not come on campus without the permission of the Dean of Students.

VII. **Warning** Notice, oral or in writing, that continuation or repetition of conduct in violation of this Policy may be cause for more severe disciplinary sanctions.

VIII. **Mandatory Educational Programming** May include but is not limited to alcohol and/or drug abuse awareness/prevention programming and sexual harassment prevention training.

*If a Code of Responsibility violation is not sanctioned until after the semester in which the violation occurred, and the sanction includes suspension for the semester in which the violation occurred, authorized withdrawals (W/A) will be assigned for all courses for that semester nullifying any earned grades.*

When students are suspended, they shall ordinarily leave campus within forty-eight (48) 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, which may include suspension.

**Stay of Sanctions Pending Appeals** If the decision of the Hearing Officer is appealed, sanctions are stayed until the matter has been finally disposed of within these procedures; provided, however, that:

a. 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 Board;

b. If a sanction of suspension is appealed and the sanction is upheld, the effect of the suspension shall be as of the date imposed by the Hearing Officer;

c. If a sanction of social probation is appealed and the sanction is upheld, the term of the probationary period shall begin when the appeal concludes.

VI. **APPEALS**

**Grounds for Appeal** Either the Complainant or Respondent can appeal the dismissal of a Formal Complaint, the finding of the Hearing Officer or the sanctions imposed on the following grounds:

1. Procedural irregularity that had a material impact on the outcome of the complaint resolution process; or
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. The Title IX Coordinator, Investigator(s), or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter, and
4. The sanction is substantially disproportionate to the findings.
**Filing an Appeal** Appeals must be filed with the Chair of the Appeal Board within five (5) 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 Chair of the Appeal Board will forward the appeal and the record on appeal to the Appeal Board. The record on appeal comprises all materials reviewed by the Hearing Officer, the record of the hearing, and the Notice of Action. The Chair 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 the Appeal Board. The Appeal Board is composed of five members, including the Chair. The Appeal Board ordinarily will decide within five (5) days of receiving the record on appeal whether the appeal states sufficient grounds to be considered. If it does not, the Appeal Board will dismiss the appeal.

If the Appeal Board finds the appeal states sufficient grounds, the Appeal Board will invite the Hearing Officer to respond in writing. When an appeal is requested by the Respondent, the Appeal Board will invite the Complainant to respond in writing. When an appeal is requested by the Complainant, the Appeal Board will invite the Respondent to respond in writing. Written responses shall not exceed five (5) pages. The Appeal Board may, in the Appeal Board’s discretion, request additional documentation related to alleged procedural errors to accompany the statement of the Hearing Officer or a student-party. The Appeal Board shall provide copies of the written responses and additional documentation, if any, to the Chair, and shall provide an opportunity for the Complainant and Respondent to access the information separately in a private setting. The parties may not make copies or take photographs of the information.

The Appeal Board may, in the Appeal Board’s discretion, choose to call a conference with the Complainant, Respondent, and Hearing Officer before making a decision on appeal.

The Appeal Board considers the appeal solely on the grounds stated in the filed appeal, the record on appeal, and the written responses, and additional documentation of procedural error. The Appeal Board will not substitute their own judgement for that of the Hearing Officer.

**Actions Available on Appeal** The appeal officer may:

1. Uphold the determination of the Hearing Officer;
2. Adjust the sanction(s) to one(s) deemed more appropriate than those imposed;
3. Remand the matter to the Hearing Officer where a procedural irregularity could be corrected by the Hearing Officer;
4. Remand the matter to the Hearing Officer where newly available information could be considered by the Hearing Officer; or
5. Remand the matter to a new Hearing Officer. This action will only be taken in extraordinary cases, when the Appeal Board determines the matter would be best addressed by a newly appointed Hearing Officer.

**Notice of Outcome** The Appeal Board ordinarily will provide a written Notice of Outcome within two (2) weeks of the decision to consider the appeal, and this decision is finally dispositive of the matter. The Notice of Outcome will be distributed to the Complainant, Respondent, and Title IX Coordinator with any redactions as required by federal law.

**VII. 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, to be a Complainant or Respondent in a complaint resolution process, to serve or refuse to serve as a witness, Appeal Board member, or representative in the investigation and resolution of a complaint. It is prohibited for any member of the College to intimidate, threaten, coerce, harass, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy.

Prohibited acts of retaliation also include charges against an individual for Code of Responsibility violations that are outside of this Policy but arise out of the same facts or circumstances stated in a complaint or
report of sex discrimination or sexual harassment when done for the purpose of interfering with any right or privilege secured by this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The College will take appropriate steps to protect individuals who fear that they may be subjected to retaliation. Acts or threats of retaliation may be a violation of the Code of Responsibility and will be investigated and adjudicated accordingly.

VIII. ADDITIONAL POLICY AND PROCEDURE INFORMATION

Rights of Student Parties The Complainant and Respondent have the following common rights:

1. A prompt, fair, and impartial complaint resolution process; meaning a process that:
   a. Is completed within reasonably prompt timeframes;
   b. Is conducted in a manner that is consistent with this Policy;
   c. Is free from presumptions of conduct or responsibility for either party;
   d. Includes timely notice of meetings at which the parties may be present;
   e. Provides timely and equal access to information that will be used during the complaint resolution process; and
   f. Is conducted by individuals who do not have a conflict of interest or bias for or against the Complainant or Respondent.

2. Equal opportunities to have the Advisor and Support Person 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;

3. Written notification of the result of the complaint resolution process (subject to any redactions required by federal law);

4. An outcome based solely on information presented as part of the complaint resolution process;

5. To not be subject to acts or threats of retaliation for action taken in good faith as part of the complaint resolution process;

6. To receive supportive measures including putting academic adjustments in place to assist with completing any reviews or examinations during the complaint resolution process (from the receipt of the Notice of Investigation until two (2) days after the Notice of Action is delivered);

7. To decline to make statements, provide testimony, or attend meetings or proceedings related to the complaint resolution procedure under this Policy; however, failure to appear at the Hearing Officer hearing or Appeal Board conference is deemed a waiver to the right to timely and equal access to information used during the complaint resolution process;

8. Preservation of privacy, to the extent possible and allowed by law; and

9. Access to support from Student Health and Well-Being staff and the College Chaplain’s Office.

The Complainant has the following additional rights:

1. Implementation of supportive measures that reduce the burden on Complainant but do not unduly burden or prejudice the Respondent;

2. To request that the Title IX Coordinator evaluate the need for supportive measures;

3. 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.

The Respondent has the following additional rights:
1. Implementation of supportive measures that reduce the burden on Respondent but do not unduly burden or prejudice the Complainant;

2. To waive Hearing Officer 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 Hearing Officer.

**Honesty; Malicious and False Accusations** All witnesses to an investigation, including the parties, shall confirm in writing to present honest testimony. A student who does not present honest testimony may be formally referred for the Honor Code violation of lying. 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 Hearing Officer’s determination of whether a Policy violation occurred. An allegation which is both false and brought with malicious intent is a violation of the Honor Code.

**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 confirm in writing to maintain in confidence all matters presented in the process; provided, however:

1. The College is authorized to disclose information as set forth in this Policy;

2. Parties may disclose information to their Advisors and other personal support persons (e.g., family members, counselors or physicians, spiritual Advisors) and legal counsel; and

3. Confidentiality does not extend to information that an individual has a legal right to disclose.

**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 Hearing Officer, the Investigators assigned to the complaint, the Appeal Board, the President, and 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 Formal Complaints filed with the Title IX Coordinator, 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 supportive measures imposed will be reported in the aggregate.

**Summary of Timelines for Complaint Resolution Procedures**

1. The Title IX Coordinator provides Notice of Investigation to the Complainant and Respondent ordinarily within three (3) days of receiving a Formal Complaint.

2. The parties provide notice of the identity of their Advisor at least one (1) day in advance of the Advisor attending a meeting or proceeding under this Policy.

3. The College will make every effort to complete an investigation in thirty (30) days. At the conclusions of the investigation, the Dean of Students will notify the parties whether, based on information gathered in the investigation, there are any additions or revisions to the Policy violations alleged.

4. Upon receipt of the Notice to Proceed, the Title IX Coordinator shall provide the Complainant, Respondent, and their Advisors access the investigation information. The parties and their Advisors will have access to the information for ten (10) days. If the parties wish to respond to the information provided, they must send a written response to the Investigator(s) by the end of the 10-day review period.
5. Typically, within three (3) days of the end of the review and response period, the Title IX Coordinator notifies the parties that the final investigation packet has been issued to the Hearing Officer and provides an opportunity for the parties to access the information in the final investigation packet.

6. The Complainant, Respondent and their Advisors will have at least ten (10) days, before the scheduled complaint hearing, to review the final investigation packet. The Complainant and Respondent shall submit their impact and mitigation statements to the Title IX Coordinator no later than ten (10) days after the Title IX Coordinator issues the final investigation packet.

7. The Hearing Officer will schedule the hearing for a date that is at least ten (10) days after the release of the final investigation packet.

8. The Hearing Officer will make every effort to conclude the complaint resolution process and distribute the Notice of Action within two (2) weeks of the hearing.

9. Appeals must be filed within five (5) days of receiving the written Notice of Action. The Appeal Board Chair shall provide an opportunity for the parties to access the record of the hearing and exhibits (if any) at least two (2) days prior to the deadline for filing an appeal.

10. The Appeal Board ordinarily will decide within five (5) days of receiving the record on appeal whether the appeal states sufficient grounds to be considered.

11. The Appeal Board ordinarily will provide a written notice of outcome within two (2) weeks 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 Hearing Officer's determination of 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.

The complaint resolution process is separate from any criminal proceedings or civil litigation. Information provided as part of the complaint resolution process may be used in criminal proceedings or other legal proceedings.

In the event that 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 supportive measures and resources to the parties. 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 the 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 Section 504/ADA Coordinator. The Section 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.

Training  College officials and all others involved in the complaint resolution process shall receive annual training on this Policy including the definitions of prohibited conduct, the scope of the College’s education programs and activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially.

IX. PROCEDURES FOR SPECIFIC CIRCUMSTANCES

Information Concerning Unrelated Sexual Activity  Information concerning the unrelated sexual activity of the Complainant is irrelevant and shall not be considered in the complaint resolution process except in the case that the Title IX Coordinator determines there is relevant information regarding sexual activity between the Complainant and Respondent.

Information concerning the unrelated sexual activity of the Respondent is irrelevant and shall not be considered in the complaint resolution process except in the case that the Title IX Coordinator 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 the Respondent was formally charged with a violation of this Policy; except if the Respondent was formally charged and the Hearing Officer 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 the Respondent before the complaint resolution process for the initial complaint has been completed, the Title IX Coordinator 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 Title IX Coordinator shall have the discretion to determine the process for resolving the complaint against multiple Respondents.

Conflicts of Interest  Investigators, Hearing Officers, and Appeal 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:

1. A student-party currently enrolled in a course taught by a faculty member of the Appeal Board;  
2. A student-party is in a formal advising relationship with an Investigator or Appeal Board member; or  
3. Where an Investigator or Appeal Board member currently supervises the student-party's academic work, College student employment, or athletic or other educational programming.

Investigators, Hearing Officers, and Appeal Board members deeming themselves disqualified for reasons of conflict of interest shall remove themselves from the matter or may be removed by the Title IX Coordinator. A party may petition the Title IX Coordinator for removal of an Investigator or any member of the Appeal Board on the basis of a conflict of interest or demonstrated bias. Any vacancies occurring on the Appeal 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 faculty or staff without a conflict of interest 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 conflict (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 Title IX Coordinator. Upon review of the information, the Title IX Coordinator 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 Title IX Coordinator may dismiss the matter prior to resolution by the Hearing Officer.

Jurisdiction over Related Charges The Hearing Officer 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 Hearing Officer pursuant to these procedures or by disciplinary proceedings under the Code of Responsibility.

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 of time 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 the Hearing Officer who heard the student’s case.

Emergency Removals and Restrictions In circumstances where it has been determined via an individualized safety and risk analysis that an immediate threat to physical health or safety of any student or other individual has arisen from allegations of sexual harassment, the President and/or Dean of Students may consider removal from campus or restrictions while on campus via the procedures stated under the Extraordinary Disciplinary Powers of the President in the College’s Code of Responsibility.

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 the President may initially suspend these procedures in whole or in part for a period of three (3) days in their sole discretion. Thereafter the President 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 their 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 the student is not re-instated by the Board, the student 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 their 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 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 Hearing Officer, the Code of Responsibility Council 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 Hearing Officer, the Code of Responsibility Council 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 Code of Responsibility Council, the Dean, 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 their 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 their files showing dates, charges, and dispositions. Previous disciplinary records for the student affected are made available to the Honor Council, the Code of Responsibility Council, the Sexual Misconduct Hearing Officer during a hearing after a finding of responsibility but before the imposition of sanctions. Previous disciplinary records are made available to the Dean at the beginning of the Mutual Resolution process. This practice allows board members and hearing officers 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**

Disciplinary records will be destroyed seven years after the date of the incident except for records of disciplinary proceedings which result in dismissal of the charge. In cases where a charge is dismissed, records shall be destroyed immediately after the termination of the proceeding.
**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).

**Hazing Policy**

**North Carolina Hazing Law**

§ 14-35 Hazing; definition and punishment. It is unlawful for any student in attendance at any university, college, or school in this State to engage in hazing, or to aid or abet any other student in the commission of this offense. For the purposes of this section hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group." Any violation of this section shall constitute a Class 2 misdemeanor. (2003)
Alcohol and Drug Policy

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 sanctions 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 and Drug 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 and Drug 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 the student 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 and Drug 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 sanctions 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 they drive a vehicle upon any highway, any street or any public vehicular area within this state; after having consumed sufficient alcohol that they have, 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 (Spencer Weinstein Center) to Patterson Court #12 (Kappa Alpha Order) and a line continuing from Patterson Court #12 to Vail Commons and back to Patterson Court #1. This includes the grassy areas up to the patios of all Patterson Court houses.
   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 or designee.

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 the student will be the subject of an incident report. Violations of the Alcohol and Drug Policy are violations against the Code of Responsibility and may be reported by any student, faculty, or staff member to the Dean of Students Office.
**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 Code of Responsibility Council
   
   **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 an Drug 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 Director of Auxiliary Services.

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 IDers. 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 their 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 and Drug 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 Director of Auxiliary Services 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 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 their 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 and Drug 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 and Drug 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 College.

- Contact Director of Auxiliary Services 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 the Director of the College Union).
- Student organizations granted permission must meet with either the Patterson court Advisor (Patterson Court organizations) or the Director of the College Union (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 Director of Auxiliary Services.
- 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 Director of Auxiliary Services and/or Director of College Union/Student Activities.
Alcohol Policy Enforcement

The Dean of Students Office adjudicates violations of the Davidson College Alcohol and Drug Policy. Three total violations, regardless of nature, will result in Code of Responsibility charges. Students who are found responsible for a violation of the Alcohol and Drug Policy will receive a sanction. In most circumstances, a student found responsible for violating the Alcohol and Drug Policy with an alcohol related offense will be subject to the below sanctions. Sanctions may vary based on COVID-19 health and safety measures particularly related to college service.

Individual Violations:

1. Alcohol Possession
   Students under the age of 21 should not possess or consume alcohol.
   a) First offense: Meet with a representative of the Student Life Staff and be required to complete 3 hours of college service within one month of determination of sanction.
   b) Second offense: Meet with a representative of the Student Life Staff be required to complete 5 hours of college service within one month of determination of sanction.
   c) Third offense: Referral to the Code of Responsibility Council.

2. Providing alcohol to underage students: Students should not supply alcohol to individuals under the age of 21.
   Underage Drinking Games: Students under the age of 21 should not engage in underage drinking games.
   Common Containers: Students should not have common containers of alcohol. Common containers include, but are not limited to, kegs, punch bowls, Jell-O, pony kegs, beer balls, trashcans, and funnels.
   a) First offense: Meet with a representative of the Student Life Staff and be required to complete 5 hours of college service within one month of determination of sanction.
   b) Second offense: Meet with a representative of the Student Life Staff be required to complete 10 hours of college service within one month of determination of sanction.
   c) Third offense: Referral to the Code of Responsibility Council.

3. DWI
   Students should not drive while impaired. A person is driving impaired if they drive any vehicle (including golf carts and bicycles) while under the influence of an impairing substance; and/or, after having consumed sufficient alcohol that they have, 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 their BAC is 0.01 or above.
   a) First offense: Family notification, revocation of campus driving and parking privileges for 12 months, referral to the Center for Student Health and Well-Being for substance abuse assessment.
   b) Subsequent offenses: will be subject to sanctions that are more stringent.

Campus Police Response:
   a) 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.
   b) 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.
For all above alcohol related violations:

Students who have consumed alcohol to the point of severe intoxication (e.g. requiring assistance from staff or medical personnel) will also be referred to Student Health and Well-Being for a substance abuse assessment. Family 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.

The Code of Responsibility Council has the full range of listed sanctions available, including but not limited to: referral to a substance abuse assessment, college service, eviction from college housing, and referral to a Student Life staff member.

Organizational Violations:

Charges against Patterson Court organizations shall be referred to the Patterson Court Judicial Board. Charges against all other organizations shall be referred to the Code of Responsibility Council. Sanctions may include (1) warning, (2) fines, (3) social probation, (4) limiting or suspension of new member activities if the violation pertains to n activities or to first-year guests, and (5) 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 Dean of Students Office 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 Dean of Students Office 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 Dean of Students Office, 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. Substance Abuse Treatment
   As appropriate, a substance abuse treatment plan will be established by a licensed substance abuse mental health clinician 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 Dean of Students Office 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 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 disciplinary 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 sanctions to be imposed by the college may range from probation to indefinite suspension. However, the following minimum sanctions 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 a requirement for participation in a drug abuse education and/or treatment program, five hours of college service, and a letter will be sent to a family member of the student. Any student who violates the Illegal Drug Policy with the use of a Schedule VI drug or drug paraphernalia for a second time will have a requirement for participation in a drug abuse education and/or treatment program, ten hours of college service, and a letter will be sent to a family member of the student. Any student who violates the Illegal Drug Policy with the use of a Schedule VI drug or drug paraphernalia for a third time may be suspended for a semester or more. 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 responsible 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. *

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 and Policy Enforcement

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 Possession of these drugs for personal use is a felony charge that carries up to five years in prison, while trafficking charges can result in up to ten (10) years in prison.

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

POSSESSION SANCTIONS / DAVIDSON COLLEGE POLICIES Immediate suspension of the responsible 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 SANCTIONS / DAVIDSON COLLEGE POLICIES Indefinite Suspension.

**SCHEDULE II**

Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, Codeine, Hydrocodone, Methadone, Ritalin, and Methamphetamine

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 Possession for personal use is a misdemeanor with a maximum fine of $2,000 or up to two years in prison. The court can impose a felony charge carrying up to five years in prison for possession of at least 1 gram of cocaine, more than four units of hydromorphone or more than 100 units of any other Schedule II substance. Trafficking in this category is also a felony, punishable by up to 10 years in prison.

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

POSSESSION SANCTIONS / DAVIDSON COLLEGE POLICIES Immediate suspension of the responsible 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 SANCTIONS / 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 disciplinary proceedings.

SCHEDULE III

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

General

A potential for abuse less than 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

Possession for personal use is a misdemeanor with a maximum fine of $2,000 or up to two years in prison. The court can impose a felony charge carrying up to five years in prison for possession of specific amounts of any Schedule III substance. Trafficking in this category is also a felony, punishable by up to ten (10) years in prison.

SALE/MANUFACTURE SANCTIONS / DAVIDSON COLLEGE POLICIES

Immediate suspension of the responsible 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.

SCHEDULE IV

Certain Barbiturates, narcotics, and stimulants, including Valium, Talwin, Librium, Darvon, Tranzene, Serax, Equanil, Ionamin, Xanax, Rohypnol and Clonazepam

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 tranquillizers 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

Possession for personal use is a misdemeanor with a maximum fine of $2,000 or up to two years in prison. The court can impose a felony charge carrying up to five years in prison for possession of specific amounts of any Schedule IV substance. Trafficking in this category is also a felony, punishable by up to ten (10) years in prison.

SALE/MANUFACTURE PENALTIES / NORTH CAROLINA LAW

Up to five (5) years in prison and/or fine (Felony)

POSSESSION SANCTIONS / DAVIDSON COLLEGE POLICIES

Immediate suspension of the responsible 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 SANCTIONS / DAVIDSON COLLEGE POLICIES

Indefinite Suspension.
**SCHEDULE V**
Compounds with limited Codeine such as Terpine 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.

**POSSSESSION PENALTIES / NORTH CAROLINA LAW** Possession is a misdemeanor charge punishable by a fine or up to six (6) months in prison, while trafficking is a felony associated with up to five years in prison. Possession of less than a half-ounce of marijuana carries a $100 or up to 30 days in prison.

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

**SALE/MANUFACTURE SANCTIONS / DAVIDSON COLLEGE POLICIES**
Immediate suspension of the responsible 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.

**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.

**POSSSESSION 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** Up to five (5) years in prison and/or fine (Felony)

**POSSSESSION SANCTIONS / DAVIDSON COLLEGE POLICIES** First violation will result in required participation in a drug education program, five hours of college service, and a letter will be sent to a family member of the student. Second violation will result required participation in a drug education program, five hours of college service, and a letter will be sent to a family member of the student. Third violation may result in suspension for one or more semesters.

**SALE/MANUFACTURE SANCTIONS / 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 disciplinary 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.

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Counseling Center</td>
<td>894-2451</td>
</tr>
<tr>
<td>Student Health Center</td>
<td>894-2300</td>
</tr>
<tr>
<td>Health Educator</td>
<td>894-2902</td>
</tr>
<tr>
<td>College Chaplain</td>
<td>894-2423</td>
</tr>
<tr>
<td>Public Safety</td>
<td>894-2178</td>
</tr>
<tr>
<td>College Campus Emergency</td>
<td>911</td>
</tr>
<tr>
<td>Davidson Town Police</td>
<td>892-5131</td>
</tr>
</tbody>
</table>
Amnesty Policy

Amnesty applies to:
- Students who seek assistance or emergency medical treatment on their own behalf.
- Students who seek assistance or emergency medical treatment on the behalf of another student.
- Students in need of assistance.
- Students who have consumed alcohol and are victims of crimes. We encourage students that are victims of crimes (including but not limited to physical or sexual assault, theft, vandalism) to contact authorities to get help.

Amnesty does not:
- Apply to behaviors other than consumption of alcohol.
- Apply to driving while intoxicated or driving under the influence.
- Apply to groups/organizations. However, if a representative of an organization hosting an event calls for medical assistance for an individual, this act of seeking help may be considered in potential sanctioning for college policy violations.
- Prohibit law enforcement agencies within their jurisdictions from enforcing the laws enacted by the State of North Carolina.
- Apply to students who do not seek assistance from College Staff, Public Safety, or a local police/EMS agency. Students who are confronted by College staff (RAs, Hall Counselors, Area coordinators, etc.) will be referred to the disciplinary process under the Code of Responsibility.

1. For Victims
   Davidson College provides amnesty to victims who may be hesitant to report to Davidson College officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

2. For Those Who Offer Assistance
   To encourage students to offer help and assistance to others, Davidson College pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Associate Dean of Students or designee, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

3. For Those Who Report Serious Violations
   Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of Davidson College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Associate Dean of Students not to extend amnesty to the same person or organization repeatedly.

Invocation of the amnesty policy will be determined on a case-by-case basis by the Associate Dean of Students or designee. It is also important to understand that this policy only applies to the violation of the college Alcohol and Drug Policy and not for any additional violations.

When a student is granted amnesty, they will be required to meet with the Associate Dean of Students or designee to discuss the incident in order to create a learning opportunity and to grow from the experience. While the violation will not be recorded as a violation of college policy, students may be referred to various campus resources for assessment or possible treatment. These are designed to assist students with any possible substance abuse problems that may become apparent during discussions. Students who are referred for addition help but fail to meet and complete the recommendations in their entirety may be subject to disciplinary action.

4. Safe Harbor
   Davidson College has a Safe Harbor rule for students. Davidson College believes that students who have a drug and/or addiction problem deserve help. If any Davidson College student brings their own use, addiction, or
dependency to the attention of College officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

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 their 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 their 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**
After normal business hours or needing to have an officer dispatched, they should call (704) 892-7773. 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**
- 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.
- If smoke does not activate a detector, students should pull the manual fire alarm located at one of the floor exits.
- Students should never attempt to extinguish a fire by themselves.
- 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, they 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:

- 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).
- 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.

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 have signage at the entrance of each lot. The parking space lines are color coded to identify who can utilize them:

- **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, log in to your MyParking account found on the Public Safety webpage, and appeal the ticket. All appeals must be done with-in 14 days of the ticket date.**

**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.

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:
   a. Ignorance of regulations
   b. Late for class
   c. Inclement weather
   d. 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. [https://www.davidson.edu/offices-and-services/public-safety/vehicle-bicycle-registration](https://www.davidson.edu/offices-and-services/public-safety/vehicle-bicycle-registration)

- 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 placing on the back window driver side of the vehicle.

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 allowed to park in Baker at any time, unless they have a limited parking decal and in the last row closest to Concord Rd.
- 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 found on the Public Safety website and a student must agree to the parking rules when they register a vehicle. https://www.davidson.edu/offices-and-services/public-safety/vehicle-bicycle-registration
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, or any parking related questions.

**704-892-7773** Cornelius Dispatch

Dial this number to have a Campus Police Officer dispatched.

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) 892-7773.

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 non-emergency: 704-892-7773

Student Health & Well-Being: 704-894-2300

(Physical and mental health resources)

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
Davidson College was founded in 1837 by Presbyterians who were part of the Reformed Tradition within Christianity. Today, Davidson is affiliated with the Presbyterian Church (USA), which promotes openness to and respect for the world’s various religious traditions. These policies are intended to foster a pluralistic community that values diverse forms of religious faith and spiritual practice and that engenders freedom of inquiry, conscience, and custom.

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

Davidson College does not permit individuals or organizations not affiliated with the college to engage in religious outreach, on-going ministry with students, or other forms of spiritual activity on campus without express permission from the College Chaplain, the Director of Student Activities, or another appropriate college official.

Davidson College welcomes authorized representatives of diverse religious and spiritual traditions who are not employed by the college (i.e., “campus ministers”), to participate in and nurture religious and spiritual life at the college by serving specific student organizations. Prior to a campus minister beginning their work on campus, the following steps must be completed:

1) A student organization’s leaders must confirm with the College Chaplain that they accept this individual as their campus minister.
2) The campus minister must be appointed officially in writing by their respective religious organization. This written appointment must state that the campus minister is accountable to a supervisor at their sponsoring organization for their work at Davidson College.
3) The campus minister must meet with the College Chaplain to learn about the religious and spiritual life policies of Davidson College and must complete a written registration form providing personal and professional background information. As part of this application, the campus minister shall affirm in writing their willingness to abide by the policies and standards of Davidson College.
4) The campus minister must clear a background check through Davidson’s Human Resources Office.

Campus ministers registered with the Chaplains’ Office 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. (Note: Campus Ministers may not meet with their constituencies in college residence spaces.)
- Announcement through Chaplains’ Office publications and the college’s Religious and Spiritual Life web page of their professional activity on campus.
- Participation in other aspects of the college’s life as invited by the College Chaplain or other college officials.

Religious & Spiritual Life Council
The Religious and Spiritual Life Council is a representative body in which the chaplaincy staff and student-led member organizations may address issues of concern on campus and share information regarding activities, funding, and other topics. The council is chaired by the College Chaplain. Its membership includes the chaplaincy staff and at least one designated student leader of each registered religious or spiritual life organization (hereafter referred to as “organizations”). The faculty/staff advisor of each of these groups and all registered campus ministers may also attend council meetings. Although not a policy-making body, the Religious & Spiritual Life Council may forward suggestions regarding changes to college policies and concerns related to religious and spiritual life to appropriate college committees that serve in an advisory capacity to the College President, who has authority to approve changes or address concerns.
Standards for Religious and Spiritual Life Student Organizations and Campus Ministers

1. All organizations shall follow the 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 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 who serves the student organization.

3. Designated student leaders of all organizations shall participate regularly in scheduled meetings of the Religious & Spiritual Life Council.

4. The College Chaplain shall be the primary college liaison for all campus ministers serving a student organization at Davidson College.

5. Organizations and campus ministers shall conduct their activities in accordance with Davidson College’s intention to promote a campus atmosphere in which a diversity of religious faiths and spiritual practices are respected and productively engaged.

6. Organizations and campus ministers shall respect the right of students to maintain privacy, to accept, question, or reject religious faith or spiritual practice, and to affiliate with, decline to affiliate with, or disaffiliate themselves from any religious or spiritual life organization on campus.

7. Davidson College recognizes that appropriate expressions of evangelism may be integral to a group’s religious beliefs and activities. If individual students or members of a student organization engage in evangelism on campus, the evangelistic activity must be initiated and conducted by students, not by a campus minister. Moreover, the following practices are examples of actions that are not acceptable: door to door or other organized campaigns within residence halls (where students rightly expect their privacy to be respected); 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 activities after the invitee has clearly indicated a desire not to participate in that group’s activities. This list is not exhaustive.

8. Campus ministers shall follow all college rules and regulations, including residence hall policies which prohibit their entering such spaces. If a campus minister has a compelling need to enter a residence hall (e.g., to provide pastoral care to a student confined to their room), the campus minister must notify the College Chaplain prior to entering the residence hall, and they must be invited and escorted into the residence hall by a Davidson College student or staff member.

9. Organizations and campus ministers 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 college’s Code of Responsibility.

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

11. Campus ministers shall clearly identify themselves as representing their particular religious organization (not the Chaplains’ Office or Davidson College) in all publicity or communications with students, parents/guardians, the press, or the general public. False or deceptive promotions or advertising concerning a religious or spiritual life group, its activities, or its representatives are prohibited.

12. Student organizations and campus ministers shall keep the Chaplains’ Office apprised of their activities, notifying that office of changes in a group’s regular meeting time(s) or locations, and of any and all occasional activities sponsored by the group.

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

If organizations or campus ministers engage in practices or behaviors which in the opinion of college officials adversely affect an individual’s or the public welfare, health, or safety on 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 campus minister to serve on the Davidson College campus. The college’s intention is that these policies will help create a diverse, respectful ethos for religious and spiritual life for all members of the college community.
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.
Davidson College
Residence Life Office
Policies and Procedures for Students
# Contents

Residence Life Office: General Purpose and Principles ................................................................. 4

Section 1. Overview .......................................................................................................................... 5

Student Acknowledgement and Agreement. .................................................................................... 5

COVID-19 Updates. .......................................................................................................................... 6

Assignments and Rates. .................................................................................................................... 8

Period of Residential Housing Eligibility. ....................................................................................... 9

Section 2. Expectations for Residence Halls and Apartments ....................................................... 10

Alcohol. ........................................................................................................................................... 10

Alteration of Rooms and Apartments. ............................................................................................. 11

Appliances, Electrical Devices, and Personal Items. ........................................................................ 11

Bicycles. ........................................................................................................................................... 13

Cleanliness. ....................................................................................................................................... 14

Common Areas................................................................................................................................. 15

Damages.......................................................................................................................................... 16

Drugs. ............................................................................................................................................... 18

Early Arrivals and Late Stays. .......................................................................................................... 19

Fire Safety. ....................................................................................................................................... 20

Flags and Banners. .......................................................................................................................... 21

Furniture......................................................................................................................................... 22

Health and Medical Needs................................................................................................................ 23

Health and Safety Inspections. ......................................................................................................... 24

Hosts. ............................................................................................................................................... 24

Malfunctioning and Broken Items. ................................................................................................... 25

Martin Court Apartment Housing Agreement................................................................................ 26

Noise. ............................................................................................................................................... 26

Occupancy....................................................................................................................................... 27

Pets. ............................................................................................................................................... 28

Responding to Staff Inquiries. .......................................................................................................... 28

Right of Entry. ................................................................................................................................. 29

Room Changes. ............................................................................................................................... 29

RLO Policies and Procedures

Updated: 08/10/2021
Safety and Security (Access) ........................................................................................................ 30
Service Animals and Emotional Support Animals (ESA) ................................................................ 32
Smoking ........................................................................................................................................... 34
Social Responsibility ....................................................................................................................... 34
Solicitation ....................................................................................................................................... 34
Sports in Hallways and Common Areas .......................................................................................... 35
Storage .............................................................................................................................................. 36
Substance-Free Housing .................................................................................................................. 36
Unauthorized Access ....................................................................................................................... 37
Vacancies .......................................................................................................................................... 37
Weapons ........................................................................................................................................... 38
Section 3. Housing Policy Infractions .............................................................................................. 39
Procedures of Housing Policy Infractions ....................................................................................... 39
Possible Sanctions for Housing Policy Infractions ......................................................................... 40
Appeals ............................................................................................................................................ 43
Residence Life Policies and Procedures for Residents

Residence Life Office: General Purpose and Principles
The Residence Life Office (RLO) at Davidson College provides a safe residential space for learning and development. RLO manages a safe, secure, and welcoming residential environment that supports and enhances academic performance and social development for all residents. Through their experiences in the residential community, Davidson students gain the knowledge, awareness, and skills to lead ethical, inclusive lives. RLO promotes residential communities through the curriculum goals of community responsibilities, self-awareness, wellness, and inclusive excellence.

The RLO is a part of the Division of Student Life. The RLO Professional staff includes the following positions:

- Assistant Dean of Students/Director of Residence Life
- Associate Director of Residence Life
- Housing Assignments Coordinator
- Coordinator for Budgets and Facilities
- Office Coordinator
- Assistant Director for Selection and Training
- 3 Area Coordinators (ACs)

RLO assigns RLO Student Leaders (Hall Counselors (HCs) for first-year students and Resident Advisors (RAs) for upperclass students) to residence halls and apartment buildings to provide support, programming, and referrals. The RLO Professional Staff selects, trains, and supervises the RLO Student Leaders in addition to responding to disciplinary matters within the residence halls, providing support & campus referrals, and managing conflict. The Residence Life Peer Supervisor is a student position that provides support, programming, and referrals to HCs in one of the residential areas.

RLO handles all room assignments, manages room and damage billing, coordinates social and educational programming in the residential communities, serves as a liaison between residents and maintenance staff, and responds to all housing needs.
The policies and procedures within this document, the RLO website, and addendums (e.g., Martin Court Lease Agreement) cover the expectations and responsibilities for students residing in and visiting the residence halls and apartments. Ignorance of these codes and policies does not constitute any excuse for violations. These policies and procedures provide information students need to have a safe and enjoyable residential experience. If residents have any questions that these pages do not address, they should inquire with a Residence Life Professional Staff member.

Section 1. Overview
Davidson College is a four-year residential community, and all students are expected to live on-campus all four years. The RLO manages the residential experience of the students attending Davidson College. Only full-time Davidson students in good financial standing are eligible to live in the residence halls and apartments during the academic year; students who withdraw mid-semester must move out within 48 hours of their withdrawal notice. Students may not sublet or rent out an on-campus residential space to anyone else.

The RLO assigns students to rooms. RLO (and Davidson College) reserves the right to reassign a student as necessary. Reasons for a reassignment include consolidating vacant spaces, managing a facility repair, as result of judicial action, for the safety and well-being of students, and/or administratively at the discretion of the Assistant Dean / Director of Residence Life.

Student Acknowledgement and Agreement.
Davidson College students agree to abide by all rules and regulations set for in this document (including the RLO website and addendum documents) regardless of whether the students live in the residential spaces (residents) or live outside of the residential spaces (students). These policies and procedures may be amended at any time. Failure to meet these expectations will result in consequences, and those consequences vary according to the severity of the infraction. Each policy in Section 2 of this document includes typical consequences for failing to meet expectations; other consequences may be put in place by RLO in unusual situations or where a consequence is not explicitly stated. Section 3 of this document explains the Housing Policy Infrctions process.

The residential spaces typically come with a room key, bed, dresser, closet or wardrobe, desk, desk chair, cable television connection, and internet connection. All room furniture must remain in each resident’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 residents use and are cleaned regularly by the
Building Services staff. Residence hall lounge typically have a television with cable service.

Students are responsible for maintaining a healthy and safe environment by using trashcans 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 residents must take care of any messes for which they are responsible. Residents and staff must work together to contribute to a pleasant community in which to live and study.

Davidson College and RLO are not responsible for the loss, damage, or theft of any personal property. Residents are strongly encouraged to carry insurance to protect their personal property. Students should verify coverage under their parents’ or guardians’ home or renter’s insurance policy, and if not, purchase student rental insurance. A 1-year policy is available for as little as $66 from NSSI. More information about NSSI can be found in their brochure (click here) or their video (click here).

The RLO supports the Innovation and Entrepreneurship Initiative and encourages students to engage in entrepreneurial activity while recognizing limitations on that ability in the residence halls and apartments. Though commercial transaction such as food delivery occur outside of the residence halls and apartments, infrequent commercial transactions are permitted in private residential spaces if they comply with Davidson College policies. The use of common areas for commercial activity is prohibited.

---

**COVID-19 Updates.**

To meet expectations to remain residential for the academic semesters, it is imperative to adhere to health guidelines regarding COVID-19. The following expectations and policies within this section supersede like policies in Section 2 of this document until further notice. If correspondence from the CORE Covid team conflict with the information contained in this document, the CORE Covid expectations supersedes the information below.

**Masks and Face Coverings**

Davidson College adopts new public health standards, many of which reference masks or face-coverings. All unvaccinated students, faculty, and staff are required to use appropriate face-coverings, which can include either commercially produced or homemade cloth face-coverings, provided it fully covers the nose and the mouth, fits snugly against the side of the face so there are no gaps, can be secured to prevent slipping, and does not have a valve or vent that releases exhaled air while working in the residence halls.
Unvaccinated students, faculty, and staff must wear face coverings in all indoor spaces except a.) when they are alone in an enclosed private office or alone in another enclosed room where they do not expect to be disturbed, or b.) in a private living space, or c.) eating in dining facilities. Unvaccinated students, faculty, and staff must wear face coverings outdoors when within 6 feet of others. Masks are encouraged to be worn in the common areas of the residence halls (e.g. hallways, stairwells, common areas, etc.) even if the students are going to the restroom.

Students with disabilities who would like to request accommodations should contact Beth Bleil, Director of Academic Access and Disability Resources, at bebleil@davidson.edu or 704-894-2129.

**Hosting, Guests, Occupancy, and Visitation**
Community health circumstances are fluid. The following policy allows students agency to manage guests while adhering to guidelines and expectations.

Residents can connect with their guests in spaces that allow students to adhere to the guidelines. Examples of these locations are outside or in a common area that allows for distancing.

In the effort to manage the total number of people within the residence halls, students will only have CatCard swipe access to the hall for which they are assigned. Students are not permitted in a residence hall where they are not assigned unless they are the guest of a person living there. If not a resident of that building, the guest should be escorted by the person they are visiting.

Non-family members, non-Davidson student guests are prohibited.

Community health circumstances are fluid and changes might need to be made to these expectations, which could include limiting residence hall rooms and apartments to only those students assigned to that room or apartment and limiting a residence hall to only those students assigned to that building.

**Social gatherings in the residence hall**
To meet guidelines and college expectations, parties can be limited and/or prohibited throughout the semester. This includes open and closed parties within any residential space. An open party is a gathering with high traffic coming and going from the apartment, with many people known/unknown well by residents, often with an open front door. A closed party is a gathering with more than 4-5 non-residents in the apartment.

**Use of Common Areas (lounges, kitchens, fitness center, etc.)**
To meet our increased residential needs, we converted all eligible lounges into private residential spaces, and as such, they will not be available for community use.

All lounges converted to student bedrooms will be closed, even if not currently assigned, to assist in adhering to guidelines regarding social gatherings in the residence halls.
Assignments and Rates.
The Trustees of Davidson College set annual room rates. The semester room rent covers housing from the time when the residence halls open (“Move-In”) until they are officially closed (“Closing”) each semester. After the tenth day of class, refunds are not issued for room rent. Refunds are not issued for students who are evicted from on-campus housing because of a disciplinary action.

Davidson requires all currently enrolled students to live in college housing if space is available. Housing assignments are conducted via the First-year Pairing Process (for incoming first-year residents) and the housing selection lottery process. Each year, every student is randomly assigned an undisclosed lottery number according to student classification (based on credit hours determined by the Office of the Registrar), with rising seniors having the best numbers and so on. Residence Life strictly abides by the Registrar's Office determination of class. Outside of random number generation, no other factors (i.e., current housing location, GPA, conduct, last year’s lottery number, etc.) affect the undisclosed lottery number assigned to a student. Lottery numbers determine the order of housing lottery selection and the order in which off-campus permission is granted. If the student has applied with a roommate or in a group, the group’s lottery numbers are averaged, and the average becomes the lottery number for the group. The lottery number is used to determine the order for which students will participate in the specific lottery. Once a student/group has applied for and been notified they have been accepted into a specific lottery, they are removed from the possibility of applying for any subsequent housing processes for the upcoming year.

At times, there are more enrolled students in town than beds on campus, and at those times RLO extends off-campus permission to a limited number of students beyond the number of on-campus beds. RLO grants off-campus permission to upperclassmen based on lottery number and campus occupancy numbers. Off-campus permission is also granted in limited cases, specifically: students with a housing need which cannot be met on-campus, students who are married, and students who are 25 years or older. Off-campus permission is not granted for students whose families live close to campus, nor for financial need. Any student who moves off-campus without permission from RLO is charged a penalty equal to one semester double room rate. Students with off-campus permission will not have the same access to residential resources as on-campus students.

If a resident resides in a room or apartment with a bed vacancy, the resident does not have rights to utilize that vacant space. In other words, a resident in a double without a roommate is not residing in a single room. Residents assigned to an
apartment or room which is not at capacity will only be charged the specified room rate (e.g., a person living alone in a double room will only be charged a double room rate) and the space may be filled as needed by RLO. Residents do not have the option to “buy out” a vacancy so that others cannot move into the space. RLO will utilize the vacant space to meet occupancy needs. Though RLO will attempt to involve the resident of the room in the process of filling the vacant bed, the resident cannot authorize who obtains the vacant bed.

Residents who withdraw or go on personal leave during the semester must checkout of the residential space within 48 hours of their withdrawal notice.

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.

**Period of Residential Housing Eligibility.**

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) but coincide with the semester academic calendar. During the academic year, the residence halls remain open during all breaks other than winter break. Residence halls close only for winter break in which residents are not permitted in the residence halls. All residents 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 up to a $250.00 late departure fee. Residents may not occupy their rooms any time before the official opening of the halls (usually 9:00 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.

In the fall semester, move-In for first-year residents begins at 2 pm on the Wednesday before the first day of class; for upperclass residents, move-In begins at 9 am on the Saturday before the first day of class. **Note: for fall 2021, the move-in process adjusted to meet necessary guidelines for testing and density on campus.** In the spring semester, move-In begins for all residents at 9 am on the Saturday before the first day of class. Closing for the spring semester is at 5 pm on Commencement Sunday for non-graduating residents; Closing for graduating seniors is at noon on the Monday following Commencement.

All residents 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. RLO will provide the check-in and check-out process through the RLO website, floor meetings, emails, and hall postings. In addition, students who change rooms at any time throughout the year must complete the process as specified by the RLO Professional Staff.

Section 2. Expectations for Residence Halls and Apartments

The philosophy of Davidson College’s residential living is one of “freedom with responsibility” which is an extension of the honor system. The mission of the Residence Life Office is to provide a safe residential space for learning and development. Policies and procedures set high expectations for residents. The enforcement of these expectations helps students learn community responsibility, increases safety, and creates a more pleasant living environment. The detailed expectations, including consequences for violating these expectations, are set forth below. Any behavior that violates the College’s Code of Responsibility and/or Honor Code will be referred to the Office of the Dean of Students for further proceedings. Any student who damages College property, whether intentionally or accidentally, may be fined and/or may be responsible for paying the replacement, repair, or cleaning costs.

Alcohol.

- Per the student Code of Responsibility and North Carolina state law, **Individuals under 21 years of age** may not consume, possess, provide, sell, enable access to, and/or purchase or attempt to purchase alcohol.
- **Individuals 21 years of age or older** may consume alcohol inside private residence hall rooms, Martin Court apartments (including on apartment porches (unless prohibited by RLO or the College), and in the Armfield courtyard (unless prohibited by RLO or the College); they may play drinking games in those locations as well. They are responsible for NOT providing/selling/enabling access to alcohol to underage students; NOT permitting their ID to be used by others; NOT driving any vehicle (including bikes and golf carts) while impaired; and NOT consuming alcohol in public areas of residence halls (lounges, hallways, bathrooms, stairwells, surrounding areas, etc.) or outside of designated outdoor areas.
- “Common containers” of alcohol (kegs, punch bowls, Jell-O, beer balls, trashcans, funnels, etc.) are prohibited.
- In Martin Court, alcohol in glass bottles may only be consumed inside apartments.

College policies regarding the possession, use, and distribution of alcohol adhere to laws of the State of North Carolina. High risk drinking is a significant public health
issue with serious health and safety consequences to both individuals and the Davidson community. Students are strongly encouraged to use protective behaviors when they are legally consuming alcohol to reduce negative consequences.

Alcohol found in the possession of underage individuals is disposed of and the students in possession are responsible for pouring it out in the presence of an RLO staff member. Alcohol found unattended in common areas or in the rooms of only underage residents is confiscated and disposed of by RLO professional staff or Campus Police.

Alleged violations of the Code of Responsibility related to alcohol are referred to the Dean of Students Office or to RLO consistent with the Code of Responsibility and the Davidson College Alcohol policy.

See Davidson College Alcohol Policy in the Student Handbook for additional information.

Alteration of Rooms and Apartments.
Alteration of rooms and apartments by students is prohibited, including creating holes in walls or ceilings, wallpapering (including peel and stick removable), installing lighting, painting rooms, removing doors, removing security window screens, moving ceiling tiles, and installing wall to wall carpeting. Though Command Hooks can be used to hold items on the walls, care must be taken, and students must follow the exact removal instructions. Command hook damages will be assessed to the student.

Students found in violation of the Alteration policy are billed for the repair or replacement costs, and/or may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

Appliances, Electrical Devices, and Personal Items.
Many appliances, electrical devices, and personal items make sense to have in the residence halls while others create fire safety hazards and therefore are prohibited. The residence hall rooms have the capacity for 16 amps/2000 watts maximum at any time. Martin Court apartment kitchens and common area kitchens are designed to accommodate some additional appliances and electrical devices, so some items are permitted there that are not allowed in private residence hall and apartment rooms.

- **Permitted in the residence hall room:**
  - One per room
- one Microfridge unit or (one refrigerator [2 amps 120 volts maximum] and one microwave [700 watts maximum]) MUST BE PLUGGED DIRECTLY INTO WALL
  - coffee makers
  - hot air popcorn poppers
  - slow cookers/crock pots
  - blenders
  - de-humidifiers/air purifiers
  - vacuum cleaners
    - One per resident
      - hair dryers
      - electric shavers/razors
      - clothing iron (with auto-shutoff)
      - power strips/surge protectors (must have “surge protected” on the UL label or on the device).

- **Permitted in Martin Court Apartment kitchen areas only (no more than one of each per apartment):**
  - one Microfridge unit (or one mini refrigerator [2 amps 120 volts maximum])
  - one microwave (700 – 1100 watts)
  - open-coil burners (hot plates)
  - griddles
  - grills (including Foreman-type grills)
  - hot air cookers, including air fryers
  - toaster
  - pressure cooker
  - instant pot
  - deep fryer
  - hibachis/grills designed for indoor use

- **Prohibited in all residence halls and apartments:**
  - incendiary agents: including candles, incense, hookah, fireworks, butane torches, etc.
  - combustibles: including lighter fluid, motor oil, propane, gasoline, charcoal, kerosene, vehicles that hold fuel like scooters and motorcycles, etc.
  - fire and safety hazards: including extension cords, live trees (e.g., Christmas, palm), paper-covered room doors, fabric hanging over beds, large stacks of newspaper, halogen lights, electric blankets, hoverboards, fog machines, additional door locks (e.g. Ring or other camera locks, chain or deadbolt)
- **types of appliances and furniture:** including large household appliances, waterbeds, homemade lofts, sleeper sofas, large charcoal grills, gas grills, etc.
- **plumbing concerns:** Drain-o, flushable wipes,
- **other items** (including dart boards (including magnetic dartboards), wallpaper (including removable), doorbell cameras (e.g. Ring doorbell cameras), hot tubs (including inflatatable), weapons (see Weapons for more information), etc.)

Residents found in violation of the prohibited possessions will be required to immediately remove the prohibited item from the residence hall or apartment; prohibited possessions found unattended will be removed by RLO staff. In addition, residents may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) and charged a $50 fine.

See Fire Safety for additional information.

**Bicycles.**
Bicycles must be registered with Public Safety when brought onto campus. They may be stored by properly securing them to bicycle racks or inside student rooms; they may not be left in hallways, lounges, stairwells, on porches or attached to outdoor objects other than bicycle racks. Bicycles must be removed at the end of the spring semester unless the owner is living on-campus over the summer.

Improperly stored bicycles create a variety of issues, including: safety hazards during emergencies; blocking public walkways and limiting egress; impeding pedestrian and vehicle traffic; damage to College property; limiting the ability of building services to clean common areas; and limiting the ability of grounds staff to properly maintain exterior spaces.

Bicycle registration is free and can be completed on the Office of Public Safety’s website. Bicycles only need to be registered the first time they are brought to campus (not each year) unless the bicycle is sold or transferred to another person. Students living on-campus over the summer need to re-register bicycles for the summer.

Bicycles that are not properly registered, secured, or in specified locations are subject to any of the following: being secured; citation; or, confiscation by Public Safety. Bicycles removed at the end of the spring semester will be stored for up to 90 days. All unclaimed bikes will be disposed of after 90 days. If a violation of this policy results in damage, the Damage policy applies.
More information on Bicycle policy can be found on the Office of Public Safety’s website.

**Cleanliness.**

- **Cleanliness** of private spaces is the responsibility of those assigned to those spaces. In Martin Court, this includes porches and patios.
- **Trash and recycling** should be removed promptly by students and disposed of only at the designated locations.
- **Pests** and insect problems should be reported to RLO promptly by emailing rlo@davidson.edu. Residents should not treat pests or insect issues themselves.

Residents are responsible for providing cleaning materials and equipment needed to clean their rooms, private bathrooms, apartments, and patios. RLO provides vacuums and brooms for communal use in the residence halls but not in apartments. College-owned vacuums and brooms are stored in common areas (typically lounges or a hall closet) and must be returned promptly. If a vacuum malfunctions, email rlo@davidson.edu promptly so that it can be emptied or repaired (see Malfunctioning and Broken Items for additional information).

Residents are responsible for the cleanliness of their room even if a vacuum or broom is unavailable or broken, which includes leaving a room clean when moving out.

Each residence hall has a designated location for trash and recycling. In Martin Court, residents are required to remove trash and deposit it in receptacles behind Armfield, Hart, and Jamieson. Trash is not permitted to remain on an apartment porch. Cleaning up trash in common areas that cannot be attributed to an individual or group of individuals may be billed back to the community or result in other consequences for the community.

Residents can reduce their pest problems by regularly cleaning food residue and sealing all food containers. RLO refers pest and insect issues to a pest control technician who administers all treatment to monitor community safety; they come to campus on Tuesday to spray in common areas as well as individual rooms, upon request.

Failure to uphold expectations for cleanliness, trash, or recycling will result in the resident being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) in addition to the following consequences for each person associated with the living space:

- 1st offense – Warning letter
- 2nd offense – Charge of to address the concern
• 3rd offense – 5 hours of college service and the charge to address the concern
• 4th offense – Referred to the Office of the Dean of Students for Code of Responsibility charges

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 leader immediately. Building Services staff will ensure that the biohazard is safely cleaned. Students responsible for biohazards as a result of policy infractions may incur expenses for damage or cleaning charges assessed to Residence Life as well as being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

In addition to the charges listed in Furniture, the following are standard charges for cleaning:

<table>
<thead>
<tr>
<th>Cleaning Items</th>
<th>Price Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Cleaning Fees</td>
<td>$10 - $100</td>
</tr>
<tr>
<td>Failure to clean floor (vacuum or sweep)</td>
<td>$20 - $100</td>
</tr>
<tr>
<td>Failure to clean private bathroom</td>
<td>$20 - $150</td>
</tr>
<tr>
<td>Failure to clean kitchen</td>
<td>$20 - $150</td>
</tr>
<tr>
<td>Failure to clean common area</td>
<td>$20 - $150</td>
</tr>
<tr>
<td>Cost to remove items from room, floor, or hall</td>
<td>$20 - $150 per item</td>
</tr>
<tr>
<td>Labor cost per ¼ hour (15 minutes)</td>
<td>$15</td>
</tr>
</tbody>
</table>

See Damages, Furniture, Malfunctioning and Broken Items for additional information.

**Common Areas.**

*Please refer to the COVID-19 Updates expectations in this document (see Section 1). In the case of conflicting information, the expectations set in COVID-19 Updates supersede the information in this policy until further notice.*

Common areas are spaces designated for community use and is accessible to many or all students. The College cleans common areas regularly, but students are responsible for cleaning up after themselves.

• **Lounges** are studying and social spaces. Lounge furniture must stay in its designated lounge and non-College owned furniture may not be left in a lounge. Personal belongings must be removed in a timely manner. Sleeping
in a lounge overnight or for an extended period is prohibited. Lounges may not be reserved by residents for private gatherings.

- **Common area kitchens** are available to all residents and their guests. Kitchens must be left clean, and that includes washed pots, pans, and utensils; counters wiped down; and personal belongings put away. Food stored in community refrigerators should be labeled with the owner’s name, room number, and date, and disposed of promptly and properly.

- **Community bathrooms** designated with a specific gender sign may be used by people who feel that designation aligns with their gender identity. Non-designated community bathrooms are available for anyone to use.

- The **fitness center** in Chidsey Hall is managed by RLO, is available to all students, and is open from 6 am until 1 am daily from move-in until closing. Fitness equipment should be wiped down after each use. Towels are available but should remain in the fitness center. When finished, equipment should be set up for the next user, including placing dumbbells on racks.

- **Laundry rooms** have no-charge self-service washers and dryers that are open 24 hours a day. Washers require high-efficiency (HE) detergent. Laundry machine availability and load status can be viewed online at [www.laundryview.com](http://www.laundryview.com). Clothes should be promptly removed from washers and dryers; clothing that has been abandoned in laundry rooms are removed periodically and donated to local aid agencies.

- No personal items may be left in **hallways, stairwells, laundry rooms, or common bathrooms**.

If a lounge, common area kitchen, fitness center, or laundry room has repeated issues, RLO may close the space for up to one week to address the issues. If a space needs to be closed again, it may be closed for up to one month at a time.

The first time a common area has personal items which are not removed in a timely manner, RLO will email the residents a reminder to remove the belongings. Subsequent violations may result in RLO confiscating and holding those personal items for up to one month or disposal of the personal items.

Repeated or egregious violations of the common area policy may result in a resident being placed in “poor standing with RLO” for up to one year (see Section 3. Additional Information). Furthermore, repeated and/or egregious violations of the lounges, common area kitchens, or fitness center portion of this policy may result in a student not being allowed to use that type of space for up to one semester.

**Damages.**

Damages, or the physical harm which impairs the value, usefulness, or normal function of a building or a college-owned object, is prohibited and should be
reported immediately to the Residence Life Office or Campus Police. A person who damages College-owned property is responsible for that damage, whether it was intentional or accidental. Damages attributed to an individual or group of individuals will be billed to the individual or the group of individuals on a pro rata basis. Damages not attributed to an individual may be billed back to the community. Activities which are likely to cause damage are prohibited.

Residence halls and apartments are safer and more pleasant living environments when things function properly and look attractive. Residents have a responsibility to help minimize damages by taking responsibility for their own actions and by holding peers accountable.

Students who are painting or working with messy materials in and around the residence halls need to put down a drop cloth, newspaper, or cardboard first. This includes projects outside where spray paint can leave lasting marks on walkways or kill plant life. Residents can get an appropriate cover by emailing rlo@davidson.edu first.

Damages should be reported to RLO by emailing rlo@davidson.edu. RLO staff members will investigate unclaimed damages and make every attempt to hold the individual(s) causing the damage responsible. Damages that cannot be attributed to an individual may be billed back to the residents of an entire residence hall and/or floor and/or apartment. In some cases, RLO may redirect a community’s programming funds to offset unclaimed community damages and put building access limitations in place so that new, unclaimed damages can be attributed back to the residents of that building or their guests (see Safety and Security (Access) for more information about access limitations).

A student who immediately reports damages and takes responsibility for them will most often be billed for the repair, replacement and/or cleaning costs, but not may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) nor referred to the Dean of Students Office with additional Code of Responsibility charges for the damage. Students who are determined to have caused damages but did not report the damage in a timely manner and/or take responsibility for the damage will be billed for the repair, replacement, and/or cleaning costs, and will be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) and/or referred to the Office of the Dean of Students for Code of Responsibility charges.

In addition to the charges listed in Furniture, the following are standard charges for damages:

<table>
<thead>
<tr>
<th>Damages</th>
<th>Price Range</th>
</tr>
</thead>
</table>

RLO Policies and Procedures  Updated: 08/10/2021
Ceiling panel broken/missing $20
Wall/Paint damage $10 - $150 (each)
Wall/Paint damage in apt common areas $20 - $500 (each)
Door Damage $50 - $400
Lock Damage $30 - $300
Peep hole missing in door $15
Door closer removed $20
Door closer disabled $30
Carpet stained (cost to clean) $15 - $100
Carpet stained (cost to replace) At cost
Damage light sensor $10
Light cover broken/missing (cost to replace) $40
Smoke detector disabled $25
Missing room number $30
Detached room number $20
Towel rack/knob damage $20
Reassemble bed $30
Broken windows $176 minimum
Labor cost per ¼ hour $15

See Cleaning, Furniture, Malfunctioning and Broken Items for additional information.

**Drugs.**

Drugs that are illegal or are misused are prohibited. Possession of drug paraphernalia is prohibited. Students who are prescribed drugs are responsible for not transferring the prescribed drug to any other person, using it as directed, storing it securely, and storing it in a properly labeled container. Students should report missing prescription drugs to the Office of Public Safety immediately.

College policies regarding the possession, use, and distribution of controlled substances (drugs) adhere to Federal, State, and local laws. Many controlled substances have a high potential for abuse or serious medical consequences for misuse. Use of illegal drugs and misuse of drugs can contribute to behavior that threatens the safety of campus.

The Office of Public Safety is contacted immediately when there is suspicion or knowledge of a violation of the drug policy. The Office of Public Safety determines if they will press charges and/or refer alleged violations of the drug policy to the Office of the Dean of Students.
Early Arrivals and Late Stays.
The semester room rent covers housing from the date when the residence halls officially open ("Move-In") until they are officially closed ("Closing") each semester. Limited groups (i.e. in-season athletic teams, orientation leaders, etc.) are given permission to move-in early ("Early Arrival") or stay past closing ("Late Stay"). Residents who arrive on campus without approval or stay past closing without approval are subject to fines.

Prior to move-in, offices across campus are preparing for students. Residents who receive permission to be an early arrival have “opening responsibilities,” which includes a leadership group with duties during opening and orientation, participation in a pre-orientation program, or participation as an in-season varsity athlete. Additional residents living on-campus shift the focus away from the preparation for opening and orientation, and the College intentionally limits access for residents without opening responsibilities.

Each year RLO receives early arrival requests from residents who are not part of an approved early arrival group. Most early arrival and all requests to only drop off items in the spaces will be denied. If a request is approved, there will be up to a $70 per night charge placed on the student account. This charge includes requests from individuals in approved groups who wish to arrive earlier.

Students who arrive on campus without approval before the posted opening date will be charged a $250 fine plus the $70 per night fee on their student account and may also face additional consequences.

Residents classified as international students are often given permission to arrive 24 hours before their scheduled move-in date/time to accommodate international travel if applicable. Eligible residents must request permission to arrive early by emailing both the International Student Programs (ISP) and rlo@davidson.edu by July 15th for fall and by December 1st for spring.

Students who live on-campus over the summer and have a fall semester on-campus housing assignment are given the option to continue living in the residence halls from the end of summer until the residence halls open (“August Move-Over”). August move-overs are charged $35 per night from the end of the summer semester until move-in; the $35 per night is waived for any night where they have an “opening responsibility.” Typically, students move into their fall assignment a few days after the end of summer. Once a resident moves into his or her fall assignment, the resident cannot check-out and then check-in again later; the resident is billed continuously.
Information about Move-In and Move-Out dates and times can be found in Section 1. Overview.

Fire Safety.

- Do not tamper with or misuse **fire safety equipment**, which includes smoke detectors, fire extinguishers, pull stations, lighted exit signs, sirens, emergency lighting, and door closers.
- Do not touch **sprinkler heads** or hang decorations on or near them, as they contain sensitive instruments which can be set off unintentionally if disturbed.
- Report damaged or missing fire safety equipment immediately to Campus Police. Do not tamper with or remove fire safety equipment.
- Immediately **evacuate buildings** when the fire alarm is activated. Stay at least 100 feet away from the building until permission to reenter is given by the Fire Department or Campus Police.
- “**Cooking out**” near residence halls is prohibited; this includes on Martin Court patios. Storing gas and charcoal grills inside residence halls and apartments is prohibited.
- Plug Microfridges, hairdryers, and other appliances with a high electrical draw directly into the wall outlet instead of a power strip/surge protector.
- Occupying spaces that serve as public walkways (porches, patios, stairwells) and blocking egress is prohibited.

Fire safety policies protect both individuals and the community.

A student who observes a fire or smoke in the residence halls should immediately pull the manual fire station, evacuate the building, and call Campus Police when they are safely outside the building. Students should always prioritize their personal safety over extinguishing a fire.

Grills for “cooking out” are located throughout Martin Court and Chidsey Hall and are for resident use. Martin Court residents may use small charcoal grills away from buildings (20 feet or further), and when cooled, stored on their patios; gas grills and large charcoal grills are prohibited. RLO and the Office of Public Safety can authorize other areas or different equipment for “cooking out” for specific events.

When the fire alarm sounds, students who fail to immediately evacuate a building, or attempt to hide, or avoid evacuating will receive a $50 fine and will be referred to the Office of the Dean of Students for Code of Responsibility charges.

Any student who tampers with or misuses fire safety equipment will receive a fine of $250, incur any associated expenses for damage or cleaning, and will be referred
to the Office of the Dean of Students for Code of Responsibility charges. Any student who activates a sprinkler head in a non-emergency, even unintentionally, is responsible for damages and cleaning, and may be referred to the Office of the Dean of Students for Code of Responsibility charges.

Any student who intentionally sets a fire or causes a false fire alarm will be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) in addition to the possibility of being evicted from the residence halls / apartments, referred to the Dean of Students Office for a Code of Responsibility charge, and/or charged criminally.

See Appliances, Electrical Devices, and Personal Items for additional information.

**Flags and Banners.**

The Davidson College Statement of Purpose states, “As a college that welcomes students, faculty, and staff from a variety of nationalities, ethnic groups, and traditions, Davidson values diversity, recognizing the dignity and worth of every person.”

Flags and banners may be hung out of the windows of resident rooms and off Martin Court apartment porches, provided they are not in conflict with the above referenced principle. No more than one flag or banner may be displayed from a window or porch of an apartment at a time. These items must be in good condition and may be up to 3 feet by 5 feet in size. Flags and banners may not be displayed from common areas.

Flags and banners must be registered with RLO prior to hanging them and may not be displayed until the registering person has received written notification from RLO and the permission of the roommate(s) or apartment-mates. Failure to register a flag or banner will result in the removal of that item by RLO until it has been registered and notification received.

Items that may conflict with the Statement of Purpose will be referred to the Flag and Banner Committee (FBC) for prompt review, and the majority decision will determine outcome. Any member of the community who objects to a flag or banner may request the FBC review the item and/or have RLO facilitate a conversation between that individual and the person displaying the flag.

The FBC consists of the four student members of the Committee on Campus and Religious Life (CCRL) who are elected by the student body, the Vice President of SGA, the Assistant Dean of Students for Diversity and Inclusion, and the Assistant Dean of Students/Director of Residence Life.
Registration forms are available at the Residence Life Office. Completed registration forms are available for review by students, faculty, and staff.

**Furniture.**

Furniture provided by the College must stay in the assigned room or apartment. Within private residential spaces, furniture may be arranged as desired provided it does not block egress or cause damage. Residents may bring most additional furniture other than homemade lofts, waterbeds, hot tubs, or bar cabinets. Apartments may have un-upholstered personal furniture on patios/porches provided it does not block egress or public walkways. All personal property must be removed at the end of the academic year.

The College provides each resident with a bed, mattress, dresser, closet or wardrobe, desk, and desk chair; apartments also include a couch, a dining room table, and dining room seating/stools for the number of residents. Many residents bring extra furnishings to compliment the college furniture and personalize the space, and this is permitted provided that the furniture is not potentially destructive, dangerous to person or property, or in conflict with the academic mission of the college. RLO is unable to store any furniture originally assigned to a room.

Residents found in violation of this policy will be required to immediately return the furniture to the assigned space or immediately remove prohibited furniture. Additional violations may result in a student being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

Students are billed for the replacement costs of lost or damaged college-owned furniture, or a portion of that cost for damaged furniture that can continue to be used. Furniture that is recovered outside of a room and cannot be attributed to a specific room or apartment will be split across nearby spaces that are missing that type of furniture, as will any repair or replacement costs.

Replacement costs for furniture are:

<table>
<thead>
<tr>
<th>Furniture</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed Ends - Twin</td>
<td>$75 each</td>
</tr>
<tr>
<td>Bed Ends - Full</td>
<td>$100 each</td>
</tr>
<tr>
<td>Bed Rails</td>
<td>$35 each</td>
</tr>
<tr>
<td>Bed Spring/Frame – Twin</td>
<td>$150</td>
</tr>
<tr>
<td>Bed Spring/Frame – Full</td>
<td>$345</td>
</tr>
<tr>
<td>Mattress – Twin</td>
<td>$150</td>
</tr>
<tr>
<td>Mattress – Full</td>
<td>$200</td>
</tr>
<tr>
<td>Dresser</td>
<td>$300</td>
</tr>
<tr>
<td>Wardrobe</td>
<td>$575</td>
</tr>
</tbody>
</table>
Small 3-Drawer Unit $280
Bookcase (free standing) $150
Desk $275
Desk Carrell/Hutch $200
Desk Chair $235
Desk Wheel Missing $30 each
Dining Table $400
Dining Chair $150 each
Stool – no back $50 each
Stool – with back $150 each
Sofa $1000
Ottomans $240
Lounge Chair $550
End Table $250
Coffee Table $250
Blinds slat replacement $30
Blinds $50
Flat Screen TV $600

Personal property found in rooms during check-out is removed and disposed of; students may be charged a fee for removal ($60 per hour of labor, with a $30 minimum).

See Cleaning, Damages, Malfunctioning and Broken Items for additional information.

**Health and Medical Needs.**
In the event of a **medical emergency**, call 911 immediately.

Students are expected to carry out self-care obligations and to obtain treatment for medical needs. The Residence Life Office supports residents through short-term and long-term health and medical needs and is committed to supporting students with disabilities.

Students are encouraged to report medical conditions with community implication to RLO promptly so we can provide support to both the individual student and the community. Requests for housing accommodation are made to the Office of Academic Access of Disability Resources (AADR) and should be made as soon as possible.

Housing accommodations are determined by AADR and communicated to RLO. Whenever possible, residents should correspond with AADR at the beginning of a
housing assignment process (i.e., with the housing preference form as a new student, in early spring at the beginning of lottery, when a student completes the housing preference form before going abroad). If a resident submits a new or sudden housing accommodation request to AADR after RLO has begun the assignment process, or one that requires an immediate change, RLO will take reasonable steps to accommodate the resident’s need. RLO will not reassign or relocate another resident to meet the need.

RLO takes student privacy very seriously. RLO Professionals may need to share limited health and medical information with HCs and RAs for continued student support, and we encourage residents to share additional information directly with their RLO student leader so they might be most supportive. RLO works with residents before sharing any health or medical information with other residents. As necessary, RLO shares health information with other relevant offices (e.g., Campus Police, Physical Plant, Student Health Center).

**Health and Safety Inspections.**
Each semester, RLO conducts Health and Safety Inspections (HSI) in the residential spaces. HSIs provide an opportunity for residents and RLO student leaders to support the health and safety of the community. This is achieved by timely identification of items that may not be working in student spaces and quickly working to fix them. Additionally, HSIs allow the RLO student leaders the ability to address violations and students to remove prohibited appliances.

During the check, RLO student leaders conduct a non-invasive scan of the room/apartment/suite/pod. They do not open drawers, refrigerators, or closets, but may move (or ask the resident to move) items blocking outlets. Students are encouraged to be present during the HSIs but are not required to be in the rooms during the inspections.

Residence Life Professional Staff will notify residents at least twenty-four (24) hours in advance of the date of area specific HSI inspection. To prepare for the upcoming HSIs, residents should review the list of items approved/prohibited for the residential spaces. Here is the link for the items on the lists: [http://www.davidson.edu/student-life/residence-life/new-students/what-to-bring](http://www.davidson.edu/student-life/residence-life/new-students/what-to-bring).

**Hosts.**
*Please refer to the COVID-19 Updates expectations in this document (see Section 1). In the case of conflicting information, the expectations set in COVID-19 Updates supersede the information in this policy until further notice.*
For the purposes of RLO’s policies and procedures, **guests** are Davidson students who are in a room or apartment other than where they are assigned; **visitors** are non-Davidson students.

Hosts are responsible for the conduct (including damages) of their **guests/visitors** and informing them of College policies. Hosts need to ask permission of roommate(s) or apartment-mates before inviting guests/visitors into a room; a student may refuse entry to any person except his or her roommate(s). Guests/visitors may not become residents of a hall or apartment and are only permitted to stay up to 96 hours/4 nights per month without permission from RLO.

Hosts may request permission to have a guest/visitor stay beyond the 96 hours/4 nights per month by emailing rlo@davidson.edu and including the rationale for the request. Requests should be made before visitors arrive on campus.

Policy violations by a guest/visitor may result in consequences for the host as if the host violated the policy themselves, and egregious or repeated policy violations by a visitor may result in that person being banned from campus. Violations of the 96 hours/4 nights per month limit may result in the removal of a guest/visitor from a room or apartment, and/or having a visitor banned from campus, and/or a host being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

**Malfunctioning and Broken Items.**
Malfunctioning and broken items should be reported promptly to RLO when something College-owned is not working properly or is damaged. A person who damaged College-owned property is responsible for that damage, whether it was intentional or accidental.

Routine or non-emergency maintenance requests should be reported to RLO by emailing rlo@davidson.edu. More urgent maintenance issues should be reported immediately; during business hours, call RLO (704-894-2188); after-hours and on weekends, call the RLO student leader area duty phone. Examples of urgent maintenance issues include any plumbing problems (leaking water, overflowing toilets), electrical problems (localized power outage), and issues that create ongoing safety concerns (a shattered window, exterior door card reader that isn’t securing).

In most cases, work orders are completed within 24 to 48 business hours. If a reported problem has not been resolved with 48 business hours, students should submit a new email to rlo@davidson.edu; this is particularly helpful when the College officials believed an issue was fixed when it was not.
Students should not complete repairs themselves. Students are not billed for repairs for “normal wear and tear;” students are billed for “irresponsible or malicious damages.” “Normal wear and tear” is defined as predictable issues that come up through an item’s intended use, and is often determined by looking at the relative maintenance issues of comparable items/spaces.

See Damages for additional information.

**Martin Court Apartment Housing Agreement.**

The Martin Court Apartments were specifically designed to be an important transitional community at Davidson, allowing seniors and some juniors the opportunity to cook their own meals, share larger common spaces, and take responsibility for keeping their spaces clean. This transitional-type housing affords residents the opportunity to learn what it is like to live in a “rental property” and assume all responsibilities for such housing; this residential experience is intended to teach Davidson students important life skills related to renting a property and living in community with others. It should be noted, however, that living in these residential on-campus apartments is a privilege and not a right. The Martin Court Apartment Housing Agreement document is an addendum to the Residence Life Office Policies and Procedures.

**Noise.**

Noise which disrupts the community is prohibited, and residents have a right to a reasonably quiet living environment at any time. During Quiet Hours, noise should not be heard outside a room or apartment.

**Quiet Hours** are designated times when there is an expectation for reduced noise so that community members can study and sleep. On weekday nights (Sunday – Thursday nights), quiet hours are from midnight until 8 am; on weekend nights (Friday – Saturday nights), quiet hours are from 2 am until 8 am. During finals and reading days, quiet hours are in effect 24 hours a day. Quiet hours follow the set times even when classes are not in session because students have responsibilities outside of class and, for noise that can be heard outside of the residence halls and apartments, to show courtesy to the residents of the Town of Davidson who do not operate on the academic calendar. Residents can agree to have quiet hours begin earlier in the night on their floor through community standard conversations.

Residents who are disrupted by the noise of other community members are asked to first speak with the person or people causing the disturbance. If that does not work, they should contact the RLO student leader of the floor or on duty, or Campus Police if the RLO student leader is unavailable.
Students who are asked to be quieter are expected to immediately reduce the noise and keep the noise level down. In addition, repeated violations of this policy – whether on one occasion or over multiple occasions – may also result in one or more of the following – limiting where sound amplification equipment may be placed, and/or having sound amplification equipment removed, and/or being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

**Occupancy.**

*Please refer to the COVID-19 Updates expectations in this document (see Section 1). In the case of conflicting information, the expectations set in COVID-19 Updates supersede the information in this policy until further notice.*

Occupancy varies by room type and building. Large gatherings inside buildings are prohibited.

Rooms and apartments that exceed occupancy can create safety hazards in emergencies and are difficult for hosts to manage. Most residential spaces do not have a set occupancy and are determined by Residence Life professionals or Campus Police on a case-by-case basis; the interior of Martin Court apartments have a set occupancy of 25.

Violations of the Occupancy policy are assessed to the room or apartment. Multiple violations in the same room or apartment that occur in the same academic year are considered subsequent violations and are subject to greater consequences.

The resident may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) in addition to the following consequences for violations:

- 1st offense - Warning. If the violation is in an apartment and exceeds 35, each apartment resident will be assigned to 5 hours of college service. If the occupancy is in a room and grossly exceeds reasonable occupancy, each resident will be assigned 5 hours of college service.
- 2nd offense –10 hours of college service with RLO and/or Physical Plant per resident.
- 4th offense – Removal from current housing assignment; possible eviction from campus housing.
Residents of the room or apartment who were not present for the violation may not be responsible for service hours or Code of Responsibility Charges, depending on the circumstances (e.g., a person out of town would not be responsible, but residents opening their room or apartment to guests and going to another party are responsible). If a fourth violation occurs, all residents will either be reassigned to other campus housing or removed from campus housing entirely.

Violations of occupancy may result in gatherings being shut down immediately, or hosts may be given an opportunity to correct the over-occupancy issue at the discretion of the person addressing the violation. A second violation of Occupancy policy in one day/evening will result in the gathering being shut down immediately.

Pets.
Pets, other than fish, are not permitted in the residence halls or apartments; this includes animals who are only “visiting” for a short period of time. Fish may only be kept in a bowl or aquarium of 5 gallons or less and the aquarium must be maintained suitably. Service animals and emotional support animals (ESA) are governed under a different policy and are permitted for qualified persons with documented disabilities.

The residence halls and apartments are communal environments that are not designed for pets. Many residents have animal-related allergies and phobias and living in close proximity to those animals is difficult. Pets in the residence halls and apartments can result in health and safety concerns, damaged property, and inhumane conditions for the animals.

Students found in violation of the pet policy will be required to immediately remove the animal from the residence hall or apartment. In addition, violations of this policy may also result in being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) in addition to the following: a $100 fine; charges for defleaing the residential space(s); charges for deep cleaning carpeted and upholstered surface(s); and/or, charges for cleaning the air ducts in the residential space(s). RLO determines cleaning needs. Multiple violations may result in the student being evicted from the residence halls/apartment.

See Service Animals and Emotional Support Animals (ESA) for additional information.

Responding to Staff Inquiries.
Respond in an honorable manner to student and professional staff members, which includes answering questions honestly, acting respectfully, and complying with requests related to enforcement of these policies and procedures.
Violations of this policy may result in a student being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

**Right of Entry.**
College representatives have the right, but not obligation, to enter resident rooms and apartments under reasonable circumstances including but not limited to;

- **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).
- **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. With reasonable cause, full-time professional staff in Residence Life or the Dean of Students may search the room of any resident. 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.
- **Emergencies**: Campus Police may enter student housing without notice or search warrant to prevent danger to person, property, the building itself or for the following reasons:
  - 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

**Room Changes.**
Residents are assigned to rooms and apartments by RLO. RLO uses roommate agreements to facilitate discussion and expectation setting among residents who live together; first-year residents are required to complete roommate agreement forms, and upperclass residents are encouraged to do so. Residents may request room changes after their initial assignment by working with RLO, and that process is different for first-year residents and for upperclass residents; residents may not make room changes independently from RLO. In the fall, no room changes will be made for first-year residents before October 1st, and no room changes will be made for upperclass residents before September 15th unless deemed necessary by RLO Professional staff. In the spring, no room changes will be made before February 1st. Room changes to assignments made during Lottery will not be considered until after May 1st.
Living with a roommate can be both exciting and challenging. Conflict between roommates is natural and healthy, and RLO offers assistance in managing that conflict. In some cases, a room change is the best option.

Prior to requesting a room change, a first-year resident needs to talk with his or her HC for assistance with a difficult roommate situation, which often includes a mediation or revision of the roommate agreement. If the situation continues or requires additional assistance, an RLO professional staff member will assist. If an issue persists after RLO professional involvement, residents may be given the option to make a room change. Room options/availability may be limited.

Upperclass residents are encouraged to talk with their RA or the RLO professional staff member who has oversight for their area, but not required to do so before making a room change. Upperclass residents who wish to make a room change who have not been working with an RLO professional should email rlo@davidson.edu to initiate that process.

Residents who make room changes without working with RLO will be required to return to their official assignment and may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

Safety and Security (Access).

*Please refer to the COVID19 Updates expectations in this document (see Section 1). In the case of conflicting information, the expectations set in COVID19 Updates supersede the information in this policy until further notice.*

- All exterior residence hall doors and interior private room doors are secured with either a key or electronic card (CatCard) access. Residents assigned to a private room are given keys.
- **Keys** may not be given to anyone other than the assigned resident, and lost or misplaced keys must be reported to RLO promptly. Residents are expected to lock their room doors when the space is vacant or they are sleeping. RLO gives access to residents when they are “locked out.”
- **CatCards** provide access to exterior entrances of residence halls and apartments. CatCards may not be given to anyone other than the assigned student. Lost or misplaced CatCards must be reported to CatCard Services promptly.
- Propping exterior doors open and tampering with door locks and card readers is prohibited.
• Providing residence hall access to non-Davidson College community members, whether swiping the individual into a building or allowing them to follow into a residence hall, is prohibited.

All exterior residence hall doors and apartment are secured with electronic card access. All interior rooms in the residence halls, Tomlinson common rooms, and apartment bedrooms are secured with keys. All exterior doors have audible alarms which sound when the door has been open for too long. Residents are issued one residence hall room key upon check-in (two keys for Tomlinson residents).

Residents who are locked-out of their rooms during business hours (between 9 am and 5 pm, Monday – Friday) can borrow a temporary loaner key from RLO; these keys need to be returned within the same day (3 hour limit). Residents who are locked-out of their rooms overnight (between 2 am and 9 am, 7 days a week) should call Campus Police to be let into their room. Residents who are locked-out at a time other than business hours or overnight can call the RLO student leader duty phone to be let into their room. There is no charge for lockouts unless it becomes a pattern, at which point a student is charged $25 per lock-out.

Students who do not return the loaner key promptly will have their CatCard deactivated until the key is returned and may have the lock changed which would be billed to the student.

When keys are lost, RLO changes the lock core to prevent found keys from compromising the security of residents. Residents are charged $60 for a lock change. Replacement CatCards are available for $25.

Students may be put on “prohibited access” meaning those students are not allowed in/on the specified floor, building, or area. This typically occurs for individual students as part of a sanction, interim measure, or additional remedy including as part of being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

RLO student leaders within a duty area are notified of any students who have “prohibited access” for that area. Those RLO student leaders have the restricted students’ name, picture, and expiration date of the access limitation but no information regarding the prompting incident. Under most circumstances, Campus Police are notified immediately to address violations of prohibited access.

Buildings may be given an “access limitation” allowing only the residents of that building to swipe into the building. Those residents may invite non-residents guests/visitors into the building. Access limitations can apply to all residential spaces and is in effect with specific residential spaces. Access limitations can be
put on buildings in response to unclaimed community damage. This allows residents more control over who is entering the building and makes it clear that future unclaimed damages can be attributed back to a resident of that hall or their guests (see Damages for additional information). Prohibited access and access limitations can be put in place by RLO for up to one year.

Students who prop exterior doors or tamper with door locks and card access readers will incur any associated expenses for damage or cleaning, and be referred to the Dean of Students Office for Code of Responsibility charges.

Students who lend their keys or CatCards will receive a Housing Policy Infraction are given a warning for the first offense; a second offense results in being sent through the Housing Policy Infraction Process (see Section 3. Housing Policy Infractions); additional violations will be referred to the Office of the Dean of Students for Code of Responsibility charges.

**Service Animals and Emotional Support Animals (ESA).**

Davidson College is committed to supporting students with disabilities and their use of service animals and emotional support animals while residing in campus housing. Please contact the Office of Academic Access and Disability Resources (AADR) for more information and to receive copies of the college’s Service Animal Policy and Emotional Support Animal Policy.

**Service Animals**

Students are not required to notify the college regarding a service animal, but they are encouraged to register their service animal with the Office of Academic Access and Disability Resources (AADR) and Residence Life (RLO).

When it is not obvious what service an animal provides, the ADA only permits limited inquiries. Campus personnel may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task the dog has been trained to perform. Service animals are working animals and not pets. The work or task a service animal has been trained to provide must be directly related to the person’s disability. A dog that provides comfort merely by its presence is not considered a service animal.

Students with a service animal are permitted everywhere on campus where students can go, including food service locations, except in situations where safety may be compromised or where the animal’s presence may compromise a sterile environment.

**Emotional Support Animals (ESA)**
Although students are prohibited from having pets (see Pets for additional information), Davidson College will consider requests for emotional support animals. Residents should contact AADR with their intention to begin the request process. Residents will need to meet with AADR and RLO, complete paperwork, and submit documentation that verifies the disability and the need for an ESA.

Emotional support animals, while under the resident’s control, are permitted in all residential community spaces, including lounges, kitchen areas, laundry rooms, bathrooms, hallway, and stairwells. ESAs, while in the presence of their resident, are permitted in private residence hall spaces assigned to other residents with the permission of those residents. ESAs are not permitted in non-residential college buildings, such as the Union, academic buildings, dining facilities, and athletic buildings, etc.

Notification & Student Responsibilities

AADR shares information about service animals that are voluntarily registered and all ESAs with college professionals who have a need to know, including RLO, Campus Police, Physical Plant, and Building Services. Residents are encouraged to give RLO permission to attach a sign to the upper right corner of their residence hall door to signify that an approved animal resides in the space.

Residents are responsible for their service animal or emotional support animals, including: maintaining control of the animal at all times, assuring that the animal does not interfere with routine activities or cause difficulties for residents involved in these activities, including creating disruptive noise concerns; caring for and supervising the animal, which includes proper waste disposal, feeding, grooming, using a flea/tick control program, and providing veterinary care; complying with all local and state animal licensing and registration requirements, which includes immediately reporting animal bites to Davidson College Campus Police; and, maintaining financial responsibility of the actions of their animal, including bodily injury, property damages, cleaning costs above and beyond any standard cleaning or repair of college property, and flea/tick management.

A student may be asked to remove a service animal or ESA from the residence halls if the above responsibilities are not met, the animal is not housebroken, or the animal poses a direct threat to the health and safety of others. Additionally, for ESAs, the animal’s presence cannot create a fundamental alteration of a college program.
**Smoking.**
Smoking, including e-cigarettes and vaping, is prohibited in all residence halls and apartments, and within 20 feet of any building. The possession, storage, and use of hookahs in the residence halls and apartments are prohibited.

Violations of the smoking policy in a residence hall or apartment will result in a $50 fine for the first offense; a second offense will result in a $50 fine, 5 hours of college service, and being placed in “poor standing with RLO” for one semester (see Section 3. Additional Information); any additional violations will result in a referral to Office of the Dean of Students for Code of Responsibility charges.

Students smoking outside of buildings but closer than 20 feet away will be asked to immediately move to at least 20 feet away. Repeated violations of smoking outside too close to buildings may result in a student being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

**Social Responsibility.**
Social responsibility, which acknowledges that students are members of a community, requires social conduct that respects others and conforms to high standards of courtesy and propriety.

- Residents are expected to set **community standards** with roommates or apartment-mates, and peers on the floor, and to abide by those expectations.
- Participate in the U.S. Census process of gathering demographic information, which is mandated by law, when randomly selected to do so.
- Indecent exposure and sexual acts in common areas are prohibited.
- Public urination is prohibited.

Incidents of indecent exposure and sexual acts in common areas will be referred to the Office of the Dean of Students for Code of Responsibility charges.

A first offense of public urination will result a student being may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions). If a violation of this policy results in damage, the Damage policy applies. Additional violations will be referred to the Office of the Dean of Students as an alleged violation of the Code of Responsibility.

**Solicitation.**
Solicitation (the door-to-door sale of goods/services, polling, putting flyers under doors, or advertising) is prohibited in the residence halls. Solicitation outside of buildings in residential areas is permitted only with permission. **Flyers** may only be
hung on designated public spaces in residential areas. Placing flyers or publications on the floor is prohibited.

Door-to-door solicitation in the residence halls interferes with the reasonable expectation of privacy and may jeopardize the safety of residents and their possessions by giving solicitors the opportunity to “case” a building or room.

Flyers that are hung in designated public spaces that conflict with the Davidson College statement of purpose, or those that promote violations of campus policy or illegal activities are prohibited and may be removed.

Requests for permission to solicit in the residential areas outside the buildings must be made in writing to the College Union Director and the Assistant Dean of Students/Director of Residence Life. If granted, RLO will notify Campus Police and applicable RLO student leaders. Solicitation outside of buildings in residential areas may be limited to a specific area and time.

The Office of Public Safety is contacted immediately to address non-student solicitors. Students who solicit in the residence halls may be asked to leave a building/area, and/or put on prohibited access (see Safety and Security (Access) for more information) for a building/area, and/or placed in “poor standing with RLO” for up to one year.

Flyers which are hung in non-designated spaces will be removed and recycled. Repeated instances of hanging flyers in non-designated spaces may result in the student being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) in addition to 5 hours of college service.

**Sports in Hallways and Common Areas.**

Sports in hallways and common areas is prohibited.

Sports in hallways and common areas are likely to cause damage or hurt an unsuspecting person who steps into the area of play. For the purpose of this policy, sports includes: any game with a ball; riding a bicycle, skateboard, rollerblades, or skates; wrestling or play fighting; and running recklessly.

Repeated or egregious violations of this policy may result in a student being sent through the Housing Policy Infraction Process (see Section 3. Housing Policy Infractions). If a violation of this policy results in damage, the Damage policy applies.
Storage.
Storage is not available for personal belongings or College-owned furniture that a resident does not want in their room. All personal property must be removed at the end of the academic year.

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 always remain locked.

Any personal property of obvious value found by the Residence Life staff or turned into RLO during the academic year is kept and a reasonable attempt is made to return it to the rightful owner. Personal property found in rooms during check-out is removed and disposed of; residents may be charged a fee for removal ($60 per hour of labor, with a $30 minimum).

Substance-Free Housing.
Substance-free housing is a living option where alcohol, alcohol-related behaviors, illicit drugs, and smoking materials are prohibited on the floor(s) for all residents and non-residents.

Davidson College offers substance-free housing for those residents who wish to minimize their exposure to alcohol and alcohol-related behaviors, illicit drugs, and smoking materials, and is an important protective factor for students in recovery from addiction or who have been impacted by addiction at home.

The spaces designated as substance-free varies from year to year, and the amount of beds offered is based on current interest. With sufficient interest, substance-free housing is available for both first-year and upperclass residents. Any upperclass resident living in substance-free housing is required to sign a substance-free housing agreement.

Residents of substance-free housing who violate the policy may be relocated to another assignment outside of substance-free housing, and/or prohibited from living in substance-free housing in the future, and/or put on prohibited access (see Safety and Security (Access) for more information) from all substance-free floors/buildings (in addition to any other consequences associated with the policy violation). Non-residents who violate the substance-free housing policy may be put on prohibited access (see Safety and Security (Access) for more information) from all substance-free floors/buildings, and/or being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).
Unauthorized Access.
Unauthorized access to **roofs, balconies, ledges**, mechanical equipment rooms and Technology Rooms is prohibited. **Windows** may not be used for entrance/egress except in emergency situations. Students are not permitted to climb the exterior of buildings. Throwing or dropping any objects out of windows or off porches is prohibited.

Roofs, balconies, and ledges are dangerous because of the potential for falls, and are not equipped for student use. Fire regulations dictate strict expectations around mechanical equipment because of the potential for fire safety issues.

Violations of the Unauthorized access policy may result in being may be sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions) and/or a referral to Office of the Dean of Students for Code of Responsibility charges. If a violation of this policy results in damage, the Damage policy applies.

Vacancies.
Vacancies are partially filled rooms or apartments (e.g., one person living in a double room). Residents with vacancies are expected to create a welcoming environment for all possible future roommate(s) and to have the space prepared for a future roommate. Residents with a vacancy may select another student to fill the vacancy or they may move into a different vacancy; if they do neither of those things, RLO may assign a student to the vacancy. A vacancy cannot be held for student on personal leave/returning from studying abroad. The College reserves the right to reassign a student to consolidate vacancies.

Roommates who want to live together are often more satisfied with their living experience and, as such, the Residence Life Office prefers roommates who choose each other. When a double, triple, suite, or an apartment has a vacancy, the resident(s) will be given a short period of time in which they may request a specific person to fill the vacancy, or they may move to another vacancy. If the space remains vacant, the resident is no longer given significant input over who will move-in and a student may be assigned to the space quickly with little involvement of the current occupant. RLO strives to match roommates with similar living habits when making assignments.

If a resident who has a vacancy is contacted by a potential roommate, it is the responsibility of the resident to create a welcoming environment and not dissuade inquiring students from moving into the space to maintain a single room. In some instances, RLO will facilitate meetings between potential roommates.
Residents do not have the option to “buy out” a vacancy so that others cannot move into the space.

Violations of the Vacancies policy, specifically not creating a welcoming environment or preparing a space for a future roommate, may result in relocating the resident to a different housing assignment, and/or being sent through the Housing Policy Infractions Process (see Section 3. Housing Policy Infractions).

**Weapons.**

Weapons are prohibited.

The presence of weapons on campus poses a serious threat to the safety of the community and the possession, use, and display of weapons on campus is a violation of state law. An object used in a threatening manner can be considered a weapon.

Guns (both concealed and visible, regardless of the validity of permits), rifles, airsoft guns, explosives, martial arts weapons, swords, pocketknives with blades longer than 3.5 inches, switchblades, and hunting knives are all weapons. Fireworks that are illegal in North Carolina are prohibited on campus; all fireworks are prohibited in the residence halls and apartments. Knives that are used for cooking are permitted if they are not displayed in a threatening manner or used to harm someone.

The Office of Public Safety is contacted immediately when there is suspicion or knowledge of a violation of the weapons policy, and those incidents are referred to the Office of the Dean of Students.
Section 3. Housing Policy Infractions

Procedures of Housing Policy Infraction

Students alleged to have violated Residence Life Office policies (“Residential Respondent”) who is subject to housing policy infractions process meeting before a Residence Life Professional Staff (i.e., Associate Director of Residence Life, Assistant Director for Selection and Training, or Area Coordinator) shall be afforded the following rights:

- The Residential Respondent shall be presumed innocent unless and until proven otherwise by clear and convincing evidence.
- The Residential Respondent shall be informed in writing of the charges against them and given up to three (3) business days to prepare their case.
- The Residential Respondent shall have the right to a prompt, fair, and impartial case resolution process, meaning a process that:
  - Is completed within reasonably prompt timeframes;
  - Is conducted in a manner that is consistent with college Policy;
  - Includes timely notice of meetings at which the Respondent may be present;
  - Provides timely 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 Respondent.
- Written notification of the results of the housing policy infractions process (subject to any redactions required by law)
- The Residential Respondent shall be able to present relevant witnesses and ask questions at the housing disciplinary meeting
- An outcome based solely on the information present as part of the housing policy infractions process
- The preservation of privacy, to the extent possible and allowed by law
- The Residential Respondent shall not be required to testify against themselves, but the Residence Life Professional Staff member may request other students to testify against them.

The Housing Policy Infractions Process may be initiated by the receipt of a formal complaint from any student, staff, faculty member, administrative officer, employee, or guest of the College or upon independent initiative of the Dean. The formal complaint must be submitted in writing to the Residence Life Professional staff.

Note: Depending on the severity of the Housing Policy Infraction, the Residential Respondent may be referred to the Office of the Dean of Students for Code of Responsibility charges.

- A student who receives a Housing Policy Infraction Notification must schedule a meeting with the Residence Life Professional Staff. The meeting should
take place within two weeks of the infraction (or as time permits). During the meeting, the Residence Life Professional Staff will have an educational conversation with the Residential Respondent and assign an appropriate sanction (as listed in this document).

- The Residential Respondent may be given the opportunity to correct a housing policy violation to avoid an infraction. In this case the student will have 24 hours to correct the violation before an infraction is given.
- The Housing Policy Infraction will be filed in the Residential Respondent’s disciplinary file in accordance with the Disciplinary Records section of the Student Handbook.
- The Residential Respondent who receives the infraction may want to also discuss or appeal their outcome (sanction) with the Assistant Dean of Student/Director of Residence Life. This request must be in writing and given to the Assistant Dean of Students/Director of Residence Life.

Possible Outcomes for Housing Policy Infractions
The outcome of a Housing Policy Infraction typically encompasses sanctioning that are:

- **Educational** – the outcome is designed to aid in student education
  - Content knowledge - the sanction is designed to help the student to increase knowledge of content regarding a specific topic or special issue.
  - Self-reflective - the sanction is designed to help the student to increase self-awareness of their behavior, meaning the appropriateness or inappropriateness.
  - Impact on personal well-being - the sanction is designed to help the student to increase their self-awareness of the potential physical or psychological impact of their behavior.
  - Impact on personal future - the sanction is designed to help the student to increase their self-awareness of the potential impact their behavior may have on relationships with others, academic major or course of study, or future career.
- **Restorative** - the outcome is designed to help the student to increase their understanding of how their behavior impacted or potentially could have impacted others. In addition, the sanction may be designed to help the student to increase understanding of community and/or societal standards, the reasons for them, and how their actions may adversely affect their successful interaction within the community and/or society. The sanction is also intended to reestablish balance and order to the affected community.
- **Consequential** - the outcome is designed as a strong deterrent to prevent subsequent violations of Residence Life Office Policies and Procedures. In some cases, the sanction may be designed to separate Residential
Respondent from the residential community. Consideration will be given to the following when determining the appropriate sanction(s):
  o The seriousness of the violation;
  o Whether there are minimum sanctions already established for the violation;
  o Consequences enacted in similar cases;
  o Whether or not the Residential Respondent was cooperative and honest;
  o The specific circumstances surrounding the violation; and
  o Whether or not the Residential Respondent has a prior conduct record(s), especially for similar offenses or for a pattern of behaviors inconsistent with the Residence Life Policies and Procedures

**Range of Permissible Outcomes**

The range of permissible outcomes for Housing Policy infractions include the following categories. Outcomes can only be assigned from one category. As appropriate, multiple sanctions (in category 3) may be assigned. This information is similar to the sanctions established in the Code of Disciplinary Procedures in the Student Handbook.

1. **Conversational Resolution:** Conversational Resolutions are meant to provide students an opportunity to discuss behavioral expectations of RLO, as well as to strategize ways to prevent further misconduct through student decision-making.

2. **Educational Resolution:** This consequence indicates that the behavior was inappropriate and warrants a modification for the future. An educational resolution provides an opportunity to discuss behavioral expectations, as well as better decision-making.

3. **Sanction(s):**
   - **Apology:** Oral or written apologies to persons or groups upon whose rights the Respondent may have infringed. This may involve a meeting under administrative supervision.
   - **Confiscation of item:** Any prohibited items referenced by the Residence Life Policies and Procedures may be confiscated. Confiscated items may or may not be returned to the resident pending violation of the Davidson College Code of Responsibility.
   - **Essay:** Written reflective response about the student's infraction. The essay should address how the student’s behavior 1) brought harm to the student, 2) brought harm to the community, 3) taught the student about interacting in community in a healthy and respectful manner moving forward. The essay should appropriately cite any references and be typed using 12-point Times New Roman font and one-inch margins. Upon submission, the student must schedule a follow-up meeting with a RLO Professional Staff to discuss the content of the essay.
- **Financial penalty:** fine as the result of specific behavior.
- **Housing Relocation:** Loss of the privilege of remaining in current housing and required to relocate to other housing on campus.
- **Loss of status in housing lottery:** Restrictions may be placed on a student’s participation in the housing lottery.
  - The resident will not be prevented from living in College housing but will be restricted to a specific residential spaces.
- **Participation in educational programming:** which may include but is not limited to awareness/prevention programming and other educational programming deemed appropriate.
- **Poor standing with RLO:** Students in violation of a Residence Life policy or procedure may be put in “poor standing with the Residence Life Office” status for up to one year. While on this status, a student is prohibited from any of the following:
  - Early arrival (see Section 2, Early Arrivals and Late Stays.)
  - Late stay (see Section 2, Early Arrivals and Late Stays.)
  - Summer housing (May through August)
  - Application for or holding a RLO student leader position
  - Having CatCard access to residence halls other than their assigned building
- **Referral:** referral to Office of the Dean of Students for Code of Responsibility charges
- **Removal from campus housing:** a student may be removed from campus housing with no refund provided.
- **Residential Community Service:** A reasonable number of hours of community service rendered to a specified person or group for restitution of damages. The hours will be supervised and may occur early in the morning, before classes, and on the weekends.
  - Assisting Residence Life Office Professional Staff with educational and/or social programming for the community
  - Assisting Residence Life Office Professional Staff with tasks that assist the residential community
  - Cleaning the residence hall common areas
  - Removing posters and signs from common areas
  - Working with Physical Plant or Building Services
- **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.
- **Restorative Conversation with community:** Resident will participate in guided conversation with community to understand impact of behavior on others.
- **Restricted Access:** limiting having CatCard access to residence halls other than their assigned building
- **Social Probation:** exclusion from participation in “open parties” or extra-curricular activities with the residence halls for a period not exceeding one year.
• **Warning:** Notice, oral or in writing, that additional violations may be cause for more severe disciplinary sanctions.

**Appeals.**

The Assistant Dean of Students / Director of Residence Life oversees all appeals to alleged violations and consequences for violations of the Residence Life Office Policies and Procedures that have not been referred to other offices. Appeals must be made in writing and submitted within 2 weeks of the decision.

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 infraction meeting was free of substantial error prejudicial to the person charged under the prescribed procedures; and (3) whether the sanction imposed is essentially appropriate considering the seriousness of the violation.