

Bates College Policies for Student Conduct and Safety

This booklet contains policies – including the Code of Student Conduct, the Sexual Harassment Policy and other important material – that govern many aspects of student life at Bates.

These are the policies by which you agree to live when you enter Bates College. Please take a few minutes to review the booklet and familiarize yourself with its contents.

Bates Statement of Community Principles

This statement summarizes the ideals that members of the college community strive to live by:

Membership in the Bates community requires that individuals hold themselves and others responsible for honorable conduct at all times. Together we create the educational and social setting that makes Bates College unique, with an atmosphere characterized by trust and mutual concern. Our actions must support our ability to work, study, live and learn together productively and safely. We are dedicated as a community to intellectual honesty and to the protection of academic freedom. These values are fundamental to scholarship, teaching and learning. We expect each other to maintain the highest integrity in all of our academic and social undertakings.

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The College Alcohol and Drug Policy

The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226; Final Regulations published on Aug. 16, 1990) required the College to certify to the U.S. Department of Education by Oct. 1, 1990, that it had adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by its students and employees. This program must include the annual distribution of the following to each student and employee: standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of drugs and alcohol by students and employees on the institution's property or as any part of the institution's activities; a description of the applicable legal sanctions under local, state or federal law for unlawful possession, use or distribution of illicit drugs and alcohol; a description of the health risks associated with the use of illicit drugs and the abuse of alcohol; a description of any drug and alcohol counseling, treatment or rehabilitation programs that are available to students and employees; and a clear statement that the institution will impose sanctions on students and employees (consistent with local, state and federal law) and a description of these sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct.

The law further requires that the College conduct a biennial review of its program to (a) determine its effectiveness and implement changes as they are needed; and (b) ensure that the sanctions developed are consistently enforced.

The following document is Bates College's response to Section 22 of the law, titled "Drug-Free Schools and Campuses."

The Bates College Program to Prevent Alcohol and Drug Abuse

Bates College observes all laws governing the use of alcohol and other drugs, and does not condone violation of these laws by any student at any time. Students are held personally responsible for complying with all aspects of Maine law. The prohibitions of Maine law include, but are not limited to the following: the sale of alcoholic beverages by any person who does not have a license to sell such beverages in full force and effect at the time of sale; the sale of alcoholic beverages by any person to a person who has not attained 21 years of age; consumption or purchase of alcoholic beverages by any person who has not attained 21 years of age; transportation by automobile within the state of Maine of alcoholic beverages by any person who has not attained the age of 21 years; the furnishing of, procurement of or delivery of alcoholic beverages to a person who has not attained the age of 21 years or who is intoxicated; allowing of any minor under another person's control, or in any place under that person's control, to possess or consume alcoholic beverages; the presentation of any written or oral evidence of age which is false, fraudulent or not a person's own for the purpose of ordering, purchasing or attempting to purchase or otherwise procuring or attempting to procure intoxicating liquor by a person who has not attained the age of 21 years.

In addition, Bates has initiated a campus-wide ban on

hard liquor. No member of the Bates community is allowed to possess or imbibe any beverage containing hard liquor.

Bates does not shield its students from the law or from the consequences of their own behavior. Violations of Maine law, even within regularly scheduled and "blue-slipped" College facilities, occur at the risk of the individuals and are not the responsibility of the College. The College does not, cannot and should not serve as a haven from law enforcement agencies.

Drugs

The College will use all of its counseling resources to help students involved with drugs. The College, however, bears the major responsibility for the welfare of the student body. Therefore, possession, distribution or the use of any illegal drug (including use of prescription medication prescribed to another), renders a student liable to disciplinary action, including confiscation of materials, dismissal and referral to local police authorities.

Students

Student violations of these policies governing drugs and alcohol are subject to disciplinary action, which may include referral to counseling, revocation of the privilege of using College facilities for such events if student groups or organizations are involved and/or referral of individuals to the Committee on Student Conduct.

Sanctions that may be imposed by the Committee include but are not limited to: verbal warning; letter of censure; exclusion from various College social and/or ceremonial activities; disciplinary probation; mandatory referral to a counseling program; suspension for a designated period of time; suspension with readmission contingent on proof of counseling or successful completion of a rehabilitation program and/or dismissal from the College.

The College reserves the right to involve law enforcement authorities and/or undertake legal proceedings against a student.

Employees

Employee violations of these policies will be reported to the Vice President for Academic Affairs and Dean of the Faculty, in the case of members of the faculty, or to the Vice President for Finance and Administration, for all other employees, for review and action. Employees are subject to appropriate sanctions that may include referral to standing procedures for termination of employment.

Unlawful possession, use or distribution of illicit drugs or alcohol may involve the following sanctions, according to the severity of the infraction and the kind of involvement of the employee. Employees involved may be required to undergo professional assessment by a substance abuse professional designated by the College to determine whether they are involved in substance abuse or addiction. In the case of dependency, the College may treat the case as a disability.

Sanctions may include but are not limited to:

- Verbal warning;
- Letter of censure;

- Exclusion from various College social and/or ceremonial activities;
- Disciplinary probation;
- Mandatory referral to a counseling program;
- Suspension for a designated period of time;
- Suspension with readmission contingent on proof of counseling or successful completion of a rehabilitation program, and/or dismissal from the College.

The College reserves the right to involve law enforcement authorities and/or undertake legal proceedings against an employee.

The College Smoking and Tobacco Policy

Bates College is committed to the health and well-being of our staff, faculty, students, guests and community. Research shows that smoking and breathing secondhand smoke present health risks and are even debilitating to some individuals. Through the Smoking Policy presented below, Bates College strives to maintain the well-being of the campus community while considering the needs of individuals who smoke.

- Smoking, the burning of any type of pipe, cigar, cigarette or similar product, and chewing tobacco are prohibited in all campus buildings, including residence halls, and in all vehicles owned, leased or rented by the College. Smoking is also prohibited within 50 feet, approximately 20 paces, of all campus buildings, including residence halls.
- Organizers and attendees at public events using Bates facilities, such as conferences, meetings, lectures, athletic games or social and cultural gatherings, will be required to abide by the College's Smoking Policy. Organizers of such events are responsible for communicating and enforcing this policy.
- Distribution and advertisements of tobacco products on campus are prohibited.
- In an effort to support those who wish to quit smoking, the College will present a variety of tobacco-cessation and other health-related programs, as deemed appropriate and supportable by available budgets. Such initiatives may include: informational programs to support a smoke-free lifestyle; employee access to available services through the College's health insurance program; health information and cessation assistance for students through the Health Center.

Compliance with this policy is a community effort. It is important to remember that we are friends, co-workers, acquaintances, hosts and guests, and we need to treat each other with respect. Staff, faculty and students may approach an individual who is not adhering to the policy and inform them of the specifics of the policy as well as provide assistance and information as appropriate. Many individuals may wish to quit smoking, but it can be difficult for a current smoker to become a nonsmoker. Respect and support are particularly useful in assisting individuals through this process.

Frequent disregard of this policy may result in discipline under the appropriate Student, Faculty or Employee handbooks.

This policy became effective September 1, 2004. Please contact the Dean of Students Office, the Health Center or Human Resources with questions regarding this policy.

The College Computer Use Policy

Computing resources and electronic information are provided to members of the Bates College faculty, staff and student body and to authorized guests in order to accomplish the work of the College. Users of Bates College information systems are expected to conduct themselves in a manner consistent with the college's Statement of Community Principles, this Computer Use Policy, all other College policies, and state and federal law. While it cannot address every possible situation that may arise, this policy delineates restrictions, expectations and obligations that apply in particular to the electronic resources of the College. If violations of law or College policy are discovered or suspected, College personnel may report the activity to appropriate College officials or external authorities or take other action including, but not limited to, suspension of user accounts or initiation of disciplinary or legal action.

1. Computing resources are shared by all Bates users. You must not alter the normal functioning of the computing system or engage in activities that impair the operation or security of the College's network or computer systems. The College may take any action required to protect the integrity of its systems, to prevent or stop illegal use of its systems, or to prevent or stop users from impeding the use of the systems by others. When necessary, the College may block access from any computer, system, network or other access point.
2. You must not intentionally distribute viruses, worms, Trojan horses, corrupted files, hoaxes or other items of a destructive or deceptive nature on any computer system controlled by the College. Additionally, facilitation or distribution of bulk commercial email (spam) is prohibited.
3. All files and computer output belong to someone. If you have not been given direct permission to access or copy a file, you are not permitted to do so. The fact that certain activities are technically feasible does not mean that they are acceptable. You must abide by all applicable laws and restrictions, whether or not they are built into the operating system or network and whether or not they can be circumvented by technical means. You must not intentionally access any areas of the information technology resources of the college to which you do not have authorization and you may not exceed any access for which you are authorized.
4. All information in the College's administrative systems, regardless of format or location, is property of the College and is available only to authorized users. College data may also be protected by privacy laws such as FERPA. If you have access to such information you are required to exercise proper stewardship of it and to protect it from unauthorized disclosure.

5. If you take a computer hardware or software abroad, you are responsible for complying with any applicable export controls or other federal regulations. If you plan to travel with a College-owned computer, the College may be able to provide you with a temporary laptop or mobile device or prepare your assigned laptop or mobile device so that U.S. export restrictions are respected. It is possible that the computer or software you regularly use may be prohibited.

6. You should put password protection on any mobile device you use for College business, and should not download and store College data on mobile devices or computers that are not property of the College.

7. You are provided with credentials and passwords in order to provide positive identification as you access computers and other system resources. You are responsible for all computing activities that occur using your credentials. All passwords and PINs are the property of the college and are non-transferable. You must not share your password or PIN with anyone, and no one has the right to ask you for them. If you believe your password or PIN has been compromised in any way, you must change it immediately.

8. The College takes great care to protect the confidentiality of information stored on its computer systems, but the College cannot guarantee confidentiality. Information that is owned by the College or stored on equipment controlled by the College is subject to discovery and disclosure according to state and federal law and College policy. The college reserves the right to access, monitor, remove and disclose your communications or other data stored on College computer systems. If you add security protection to computer resources owned or controlled by the College, such as hardware, folders or files, or to College data in any format or location, you must give the College access to those resources upon request.

9. In the event of an official investigation or an actual or threatened lawsuit against Bates or a person at Bates, the College may be obligated to retain records. The College may require you to retain certain records, and will employ technical means at its disposal to preserve relevant documents and records, including email.

10. The College does not monitor contents of files as a matter of course, but does monitor network and other computer usage. The College may become aware of violations of the law or College policy. If violations are discovered or suspected, College personnel may report the activity to appropriate College officials or external authorities or take other action, including, but not limited to: warning the user, removing the material, terminating access to the material, terminating network access to the computer and/or initiating disciplinary action.

11. Bates College computing systems are available to the Bates community to further the educational goals of the College. Bates College does not permit you to use its computing resources to support commercial enterprises you may have, your work on behalf of political candidates or as an elected official, not-for-profit activities unrelated to the educational goals of

the College or any activity that could compromise the tax-exempt status of the College. Reasonable use of College-owned or -operated computing resources for personal noncommercial purposes is permitted if it does not entail a direct cost to the College, impede network operations or violate College policies. If you are in doubt about a particular case you should contact the Vice President for Information and Library Services.

This policy is subject to change without prior notice.

The College Dorm Damage Procedure

Dormitory damage is defined as damage to a facility that exceeds a physical condition that would be expected from normal wear and tear. There are several functions when discussing dormitory damage: discovering the damage; recording the damage; creating a work order; creating a bill; scheduling corrective work; performing corrective work.

Dormitory damage is time-consuming and requires a high level of overhead. In an effort to streamline this process, Bates sets standard charges for the damages that occur most often. Charges were developed using the RS Means method of estimating, a national standard for developing building-related costs. This method includes labor and materials as well as contractor overhead. The materials are of commercial or institutional quality and are more expensive than consumer-grade products. Additionally, we have included overhead for Facility Services functions as it relates to these charges.

Damage is disruptive and forces the deferral of other work in order to perform these unscheduled repairs. Facility Services processes, on average, 2,700 dormitory damage work orders each year.

Facility Services staff need to concentrate on their basic mission, so dormitory damage repairs are estimated based upon calling in a general contractor. The intent is to recoup the full cost of the damage so that appropriate repairs can be performed. In addition, we want individuals to know in advance the financial consequences of creating the damage. When an individual cannot be identified as the party responsible for the damage, then either the floor or the dormitory (as determined by the configuration of the dorm) shall be charged. Questions about these procedures or individual charges should be referred to Facility Services.

Below is a list of standard damage categories, followed by brief descriptions of each. A list of furniture and fixture replacement costs follows the dorm damage information.

Dormitory Damage Standard Charges 2013-14^{1,2}

Fees are subject to change without notice.

Item	Fine ³	Total
Wall damage, small (gouge)		\$96.93
Wall damage, medium		\$193.86
Wall damage, large (more than 4 ft. x 8 ft.)		\$387.77
Screens		\$73.66
Windows (unit)		\$892.74
Window (half-unit)		\$446.39
Glass		\$190.00
Ceilings, solid		\$218.64

Ceilings, acoustical tile		\$51.19
Lights		\$232.68
Switch or receptacle		\$54.24
Light globe/lens		\$106.38
Egress plan holder	\$75.00	\$143.81
Smoke detector	\$75.00	\$398.82
Thermostat		\$76.83
Emergency light	\$75.00	\$670.98
Exit sign	\$75.00	\$244.13
Door, closet		\$250.00
Door, fire	\$75.00	\$829.31
Door, interior		\$567.46
Door, exterior		\$1,023.57
Door, hardware (lever and closer)		\$595.65
Door, lockset		\$496.05
Door closer		\$370.92
Door hinges		\$105.28
Door panic device (crash bar)		\$949.31
Sink, lavatory		\$422.78
Toilet, water closet		\$438.55
Flush		\$301.72
Faucet		\$174.64
Baluster		\$93.66
Floor, tile		\$150.71
Floor, carpet		\$263.40
E-Access, card reader		\$504.48
E-Access, door position detector		\$200.10
E-Access, egress motion detector		\$323.83
E-Access, electric door strike		\$691.56
E-Access, local alarm		\$797.49
Room cleaning charge, per person		\$50.00
Life safety tampering	\$75.00	\$75.00
Open security screen		\$150.00

1. Damage that is excessive and results in costs that exceed the Standard Charges will be estimated separately.
2. Any repair that requires labor only will be billed on an hourly basis, at \$35 per hour. This includes labor and administrative costs.
3. Fines are charged for items that are related to Life Safety issues.

Dormitory Damage Categories and Descriptions

Wall damage, small: Deep gouges, cracks and small penetrations roughly 3 inches or less in diameter. The repair may include Sheetrock work, taping, compounding, sanding, priming and painting.

Wall damage, medium: Damage larger than 3 inches in diameter but smaller than 4 feet by 8 feet. The repair would include Sheetrock work, taping, compounding, sanding, priming and painting.

Wall damage, large: All repairs larger than 4 feet by 8 feet. The repair would include Sheetrock work, taping, compounding, sanding, priming and painting.

Screens: Procurement and installation of a replacement screen. This assumes that there is no additional window damage.

Window, unit: If a window unit is damaged sufficiently that it requires the replacement of the sashes and/or frame, then replacement parts will be ordered and installed. This includes necessary patching and painting.

Window, half-unit: If a window unit is damaged sufficiently that it requires the replacement of one sash

and/or frame repair, then replacement parts will be ordered and installed. This includes necessary patching and painting.

Glass: Replacement glass damaged in either a door or window. It includes the removal of the existing glazing and the procurement and installation of new glazing. This also includes all sealing, patching and painting. Oversize windows or specialty windows such as stained glass will be priced separately.

Ceilings, solid: Repair of solid ceilings, as opposed to acoustical tile ceilings. It assumes a repair of 4 feet by 8 feet or less. The repair would include needed staging, Sheetrock work, taping, compounding, sanding, priming and painting.

Ceilings, acoustical: Assumes damaged ceiling tiles that do not total more than 4 feet by 8 feet. It also assumes that the grid system does not need repair. It includes the procurement and installation of replacement ceiling tiles.

Lights: Replacement of one ceiling- or wall-mounted fixture. It includes procurement and electrical work associated with fixture removal and replacement.

Switch or receptacle: Replacement of a light switch or electrical outlet. This charge assumes only one item needs replacement. It includes procurement and associated electrical work for installation.

Light globe/lens: Procurement and replacement of either a single globe or lens unit.

Smoke detector: Procurement and replacement of a single smoke or heat detector. It includes all electrical work and associated testing. These units must be UL-approved and meet the National Life Safety Code.

Thermostat: Procurement and installation of a single replacement unit. It includes all electrical work.

Emergency light: Procurement and installation of a single replacement unit. It includes all associated electrical rewiring and testing. These units must be UL-approved and meet the National Life Safety Code.

Exit sign: Procurement and installation of a single replacement unit. It includes all associated electrical rewiring and testing. These units must be UL-approved and meet the National Life Safety Code.

Door, fire: Typically, a fire door alone cannot be repaired without violating its UL rating. Therefore the door must be replaced as an assembly that includes the frame. It is assumed that all hardware has been undamaged and can be reused. This price includes removal and replacement with a new assembly, as well as patching, repair and painting of the wall that must be reworked to accept the new rated assembly. These units must be UL-approved and meet the National Life Safety Code.

Door, interior: Replacement of the door and repair of the frame. It is assumed that all hardware can be reused.

Door, exterior: Replacement of an exterior-grade door and any associated frame repair. These doors tend to cost more because they must stand up to weather. Most have glass and are either wood or insulated. It is assumed that all hardware can be reused.

Door hardware: Replacement of the lockset (lever or doorknob, latch and lock) and a door closer. All hardware must meet UL and Life Safety requirements. This cost includes any required door reworking, drilling and patching.

Door lockset: Replacement of the lockset (lever or doorknob, latch and lock). All hardware must meet UL and Life Safety requirements. This cost includes any required door reworking, drilling and patching.

Door closer: Replacement of the unit that automatically closes the door, typically done for code reasons. All hardware must meet UL and Life Safety requirements. This cost includes any required reworking, drilling and patching of the door.

Door hinges: Replacement of two or three hinges associated with most doors. All hardware must meet UL and Life Safety requirements. This cost also includes any required reworking, drilling and patching of the door.

Door panic device: Otherwise known as a crash bar and used for egress as required by the Life Safety Code. This cost includes both procurement of a unit that meets UL requirements and the reworking of the door to receive the new unit. These units typically have interlocking internal hardware and are very difficult to install and adjust properly.

Sink, lavatory: Removal, procurement and installation of a new sink. It assumes that the existing faucet can be reused. Included is all plumbing and any wall patching or repair.

Toilet, water closet: Removal, procurement and installation of a new toilet. It assumes that the existing hardware can be reused. Also included is all plumbing and any wall or floor patching or repair that is required.

Flush: Hardware that allows the toilet to function properly. This includes the procurement and replacement of this hardware as well as all associated plumbing.

Faucet: Hardware needed to replace a sink or shower faucet. This includes all associated plumbing.

Baluster: The vertical spindle associated with a handrail. This price includes repairing three spindles because, typically, damage to one baluster also weakens the ones on either side of it. Cost includes all carpentry and painting.

Floor, tile: This covers the replacement of 12 square feet of vinyl tile or 4 square feet of ceramic tile. This is typically the smallest area that can be replaced and still be blended in with the existing pattern. Cost includes the tiles and associated floor work.

Floor, carpet: This includes the replacement of 4 square yards of carpet. This is typically the smallest area that can be replaced and still be blended in. This includes the cost of the carpet and the associated floor work.

Furniture and Fixtures
Fees are subject to change.

Item	Fine ¹	Total
Sofa		\$1,125.00
Love seat		\$925.00

Upholstered chair		\$650.00
End table		\$216.88
Coffee table		\$255.74
Game table		\$525.26
Oak chair		\$135.38
Television		\$529.00
Television stand		\$95.28
Table lamp		\$75.22
Floor lamp		\$87.76
Bed frame		\$245.71
Mattress		\$155.12
Desk		\$424.98
Desk shelf		\$191.80
Desk chair		\$142.91
Dresser		\$473.88
Mirror		\$101.54
Cushion chair		\$254.48
Metal cabinet		\$304.64
Bookcase		\$273.29
Mirrors, rest room and full length		\$120.34
Window shade		\$72.70
Bulletin board		\$107.80
Recycling barrel		\$109.07
Recycling bin		\$50.14
Recycling/wastebasket		\$36.99
Iron		\$58.92
Ironing board		\$61.41
Lamp shade		\$37.59
Soap dispenser		\$45.13
Paper towel dispenser		\$139.15
Toilet paper dispenser		\$89.64
Toilet seat		\$63.93
Towel bar		\$53.66
Shower curtain		\$41.35
Vacuum		\$112.82
Village plaques		\$90.25
Microwave		\$239.43
Shower head		\$77.72
Curtain rod		\$46.73
Pillow		\$38.87
Traverse rod		\$90.26
Fire extinguisher, recharge ²	\$75.00	\$132.42
Fire extinguisher, replace ²	\$75.00	\$181.95
False alarm ³	(see campus policy, page 29)	
Extra cleaning	hourly rate + overhead	
Shampoo carpet	hourly rate + overhead	
Bar code tampering		\$130.12

1. Fines are charged for items that are related to Life Safety issues.
2. Fire extinguisher discharges are cleaned by an environmental contractor. These fees often cost more than \$1,000.
3. See False Fire Alarm Policy (page 29) concerning charges.

The College Policies for Activities and Behaviors of Religious Groups and Professionals

Bates College, from its first charter in 1855, has stood for freedom of inquiry and belief. We have a long and proud tradition of religious tolerance and a commitment to the development of genuine religious pluralism. Nothing in this policy should be construed to mean that anyone has the right to amend, control

or coerce the religious beliefs of any member of the College community.

If religious groups engage in practices or behaviors that are detrimental or injurious to students and others in the College or are clearly and demonstrably contrary to the essential purposes for which the College exists, the College has the right and duty to intervene to stop such activity. When a person's or group's actions adversely affect public welfare, health or safety on the campus, such actions or behavior must not be allowed to continue. The following list is intended to supply guidelines for practices and behavior related to religious organizations and their representatives and members on the Bates College campus.

Prohibited activities and behaviors include any action or behavior that is harmful to the health, safety or welfare of members of the Bates College community, including but not limited to:

- Actions that adversely affect the academic or vocational pursuits of students or the professional functioning of employees.
- Engaging in false or deceptive promotions and advertising concerning a group and/or its activities. (Posters and other methods of publicity are subject to the guidelines promulgated by the Office of the Dean of Students, which include indicating the name of the sponsoring group.)
- Failure to honor the freedom of students, staff and faculty to investigate various belief systems and to make their own decisions about those beliefs as well as their freedom to decline invitations to such investigation.
- Intruding, through unwanted visits, phone calls or mailings, into residence halls, where students should properly expect privacy, or into work areas, where employees should properly expect freedom to perform their duties without undue interference.
- Sending to campus mailboxes or email accounts mailings that the recipient has clearly indicated that s/he does not wish to receive; persisting in personal invitations of any kind to a group's meetings or activities or to private meetings with members of a group after the invitee has clearly expressed a desire not to participate in that group's life or activities.
- Soliciting membership for a religious organization by seeking to force or coerce any person, either physically or psychologically, into affiliation with a religious organization or community.
- Failure to identify the group's and/or its representatives' religious affiliation and purposes to College officials and to group members and potential members.
- Actions that by force or coercion (physical or psychological) cause students or employees to be absent from campus.
- Engaging in behaviors that meet the definitions of sexual harassment and assault, as defined by the College's policies and all applicable state and federal laws; failure to abide by the College's

regulations and policies as published in official College documents.

The College Code of Student Conduct and Disciplinary Processes

Bates takes pride in the responsibility of its students and the social and educational atmosphere of its campus.

Bates College students are held responsible for their conduct at all times. Any student who engages in academic or social misconduct shall be subject to disciplinary action by appropriate officers of the College and/or the Student Conduct Committee.

The College reserves the right to withdraw from any student the privilege of attending college at Bates for any lawful reason that the College deems appropriate.

The following considerations constitute the foundation of the College's justification for establishing expectations of student conduct, codifying those expectations, and adopting equitable processes for assessing student conduct.

1. The College's mission as a private residential educational institution establishes its identity as an independent community with a distinctive history and culture.
2. The Charter and By-Laws of the College charge the faculty with responsibility for the welfare of students and the conditions under which they are to live and learn.
3. The College's standards of conduct and the procedures for determining responsibility for misconduct reflect its particular mission and history. These standards and procedures do not attempt to duplicate civil and criminal legal processes, nor do they attempt to substitute for them. As an institution structured to accomplish its stated educational mission, the College has an independent interest in upholding standards of academic and social conduct, and these expectations may differ from those found in society at large. The College is committed to fundamental fairness in its student conduct procedures.
4. By the action of matriculation and registration at Bates College, students voluntarily enter an educational and residential community with standards of academic honesty and respect for persons and property. In choosing to enroll in the College, students become responsible in their conduct to those standards as stated in the Student Conduct Code.

The College may address student academic and social misconduct through its own processes and apply sanctions governing the terms of membership in the College. The College reserves the right to deal with misconduct, whether or not law enforcement agencies are involved and criminal charges may be pending.

Part I: Bates College Code of Student Conduct

The purpose of the Code is to express community standards of honesty, respect for persons and property, and responsible use of freedom. The Code

reflects the College's mission and identity, and it exists to guide conduct, safeguarding and promoting the College's educational activity.

Students are responsible for reading and reviewing the Code of Student Conduct, and for understanding the responsibilities they assume by enrolling in the College.

It is important that students know where to turn when they have questions, and for the College to be confident that those to whom they turn understand the student conduct system. In addition to the language of the Code itself, the College makes available a variety of "live" resources: The Office of the Dean of Students, members of the faculty, the Judicial Educator, Junior Advisors and Residence Coordinators (JAs and RCs), and mediators. If a student is in trouble, has a complaint and wants to know how to proceed, or simply has a general question about disciplinary policy, JAs and RCs should know enough about the standards of conduct and judicial process at Bates to be able to provide helpful and accurate answers. For more detailed information, students may speak with the Judicial Educator, who has extensive familiarity with the student conduct process and who is prepared to explain it to students and faculty who become involved in any aspect of a disciplinary matter. The Judicial Educator is not associated with the Dean of Students Office and does not determine any element of a case, but serves as an independent, informed resource for students (see Part III, A.3., below).

A. Bates College Statement on Academic Integrity

Bates College is an academic community deeply engaged in inquiry and intellectual exchange and committed to core principles of academic freedom, academic integrity and rigorous, creative thought. We recognize that intellectual and artistic exchange depend on a mutual respect for independent inquiry, reflection and expression. Faculty, staff and students alike are therefore dedicated to fostering an environment that upholds the highest standards of fairness, integrity, and respect in all their academic endeavors.

As contributors to an ongoing scholarly and creative conversation that depends upon thoughtful and fair acknowledgment and treatment of the inquiries, reflections and expressions of others, each member of the Bates community is expected to use and represent the work of others fairly and honestly; to acknowledge the work of others fully and accurately through proper attribution and citation; and to produce their own work unless collaboration is allowed. Faculty and staff members are expected to meet these standards in all their work as described in the employee and faculty handbooks; students are subject to the policies and procedures described below.

In educating students in the values, dispositions and responsibilities of independent thinkers and scholars, the Bates faculty recognizes that certain scholarly practices reflect complex tasks that require instruction and practice. Faculty are committed to teaching these critical practices. Students in turn are responsible for learning these scholarly practices and demonstrating them in all their work; they are not only a means of showing learning but of developing genuine understanding, not only the mark of an independent

scholar but the way to become one.

This policy statement outlines these principles and practices, roles and responsibilities. Potential consequences for students are described in Bates College Academic Integrity Procedures on the Bates website.

Violations of Academic Integrity

Violations of principles and practices of academic integrity fall into two subcategories: (1) plagiarism and misuse of sources and (2) cheating.

1. Plagiarism and Misuse of Sources

Plagiarism is the use without proper attribution of someone else's words, ideas or other work as if it were one's own. Failure to properly indicate and acknowledge the work of others can lead a reader, listener or viewer to think that information, research, ideas, words, images, data, artistic and creative elements, or other work are the student's own efforts, when they are not. Plagiarism significantly departs from accepted standards in the academic community and misleads others into thinking the work is the student's own.

Misuse of sources, like plagiarism, reflects failure to properly credit the work of others but involves errors, mistakes, incomplete or inadequate attempts and other errors in citation, quotation and attribution that would not seriously mislead others into thinking the work is the student's own.

Plagiarism and misuse of sources carry different consequences as described in Bates College Academic Integrity Procedures.

The responsibility to give credit for material that would not qualify as common knowledge applies to almost all types of assignments and situations, not just papers, and not only to finished work but also submitted drafts. Work in which students must acknowledge sources and the contributions of others includes but is not limited to draft and final versions of the following:

- talks and other oral presentations
- visual aids, presentation slides or other media tools
- websites, Web pages, webcasts and other multimedia work
- artistic, musical and other creative work
- lab reports
- problem sets
- thesis chapters, papers, proposals, literature reviews, abstracts, annotated bibliographies and other writing
- exams, including in-class and take-home exams.

2. Cheating

Cheating involves violating recognized norms for academic inquiry or specific norms established by faculty for particular assignments or using other methods, including technology, to gain unearned academic advantage. Examples of cheating include but are not limited to the following:

- unauthorized collaboration

- using materials not permitted during an exam, when writing a paper, or in completing other assignments
- receiving assistance beyond what is permitted
- manufacturing or falsifying data
- submitting the same work to satisfy the requirements of two different courses without getting permission from the instructor of the second course or permission from both instructors if the same work is submitted in two courses during a single semester
- knowingly providing assistance of any kind to another person who is attempting to cheat or plagiarize.

Fuller discussion of academic integrity, plagiarism, misuse of sources and common knowledge is available in *Bates Guide to Working with Sources*.

Violations of academic integrity are among the most serious offenses that students can commit; any violation may result in consequences at both the course and institutional levels. Procedures, findings and consequences for violations of academic integrity may depend on specific circumstances, such as the student's grade level, educational background and prior violation of academic integrity, attempts made to cite or acknowledge sources and the amount and type of work at issue. Procedures and potential consequences for students are described in Bates College Academic Integrity Procedures on the Bates website.

B. Social Misconduct

Bates College students are held responsible for their conduct at all times. Any student who becomes disorderly, is involved in any disturbance, interferes with the rights of others, damages property, or is individually or as a member of a group involved in unacceptable social behavior on or off campus shall be subject to disciplinary action by the Student Conduct Committee.

For purposes of handling disciplinary matters, a "student" is defined as someone who has matriculated and has not formally severed recognized-student status with the College. Students retain this status throughout their careers at Bates, including academic terms, scheduled vacations, summer months, periods of leave, or off-campus study.

Disciplinary charges may not be brought against someone who has formally severed recognized-student status with the College or who has graduated from the College except when such an individual may once again be a recognized student. The College reserves the right to at any time bar any non-current member of the Bates community from being on campus or participating in College-sponsored activities. In situations where it may not be possible to resolve a case prior to a student's graduation, the President (or designee) may cause the student's degree to be withheld until the case is fully resolved.

The College reserves the right to investigate and discipline alleged misconduct even when it occurs off campus. The College usually will apply the Code in instances where the off-campus misconduct:

1. occurs in connection with a College-sponsored event or when students are acting as representatives of the College, or
2. directly affects another member of the Bates community, or
3. suggests a potential danger or threat to others.

General Categories of Social Misconduct

Cases of social misconduct usually fall into one of several general categories. While not exhaustive, the following categories illustrate the expectations of the College and provide examples of misconduct subject to College discipline. Many of these categories, and the accompanying examples, have a counterpart in the State of Maine Criminal Code. The stipulated definitions of state and local criminal codes and the processes of the criminal judicial system are not part of the Bates Code of Student Conduct. Addressing a violation of the College's Code of Conduct does not exempt the individual from prosecution by proper authorities under criminal or civil code, and criminal or civil prosecution does not exempt the individual from being held accountable under the College's Code of Conduct.

1. Actions against persons
2. Actions against property
3. Dangerous or disorderly conduct
4. Actions against the institution
5. Obstruction of the College's procedures

1. Actions Against Persons

Conduct which involves force, threat of force, or intimidation directed at an individual or group of individuals may constitute an "action against persons."

Examples of actions against persons include:

- *Assault*
This includes unwanted physical contact, as well as fighting and physical altercations.
- *Sexual misconduct*
Please refer to the College's Sexual Misconduct and Harassment Policy for detailed definitions regarding sexual misconduct violations (e.g., rape, sexual assault, dating violence, domestic violence, and stalking) and the procedures for adjudicating alleged violations.
- *Hazing*
Following Ch. 159 of Maine Public Laws, 1983, Bates prohibits injurious hazing, defined as "any action or situation which recklessly or intentionally endangers the mental or physical health of a student. . . ." Specifically, hazing means an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or continued membership in a group or organization, (1) could be seen by a reasonable person as endangering the physical health of an individual or as causing mental distress to an individual through, for example, humiliating, intimidating, or demeaning treatment, (2) destroys or removes public or private property, (3) involves the consumption of alcohol or drugs, or the consumption

or other substances to excess, or (4) violates any College policy. An act may be considered hazing regardless of the person's consent to participate.

- **Harassment, intimidation, or bullying**

This includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the educational environment, or damage to property. Such acts may be committed in person, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites.

- 2. **Actions Against Property**

Conduct which results in damage to property of another individual or of the College, or conduct which improperly converts another's property to personal use may constitute an "action against property."

Examples of actions against property include:

- **Theft**

To steal or knowingly possess stolen property or any item reasonably thought to be lost and not abandoned.

- **Damaging the property of another person or of the College**

Students may be subject to disciplinary action for damage to College property, including their own rooms, in addition to any money damages assessed by the College to repair such damage.

- **Illegally entering College facilities**

Unauthorized possession, use, or duplication of College keys or cards, passwords, or other means of access.

- 3. **Dangerous or Disorderly Conduct**

Conduct dangerous to self or others, or conduct that creates a disturbance or disrupts the ability of the College to carry on its essential functions may constitute "dangerous or disorderly conduct." In accordance with the Drug-Free Schools and Communities Act, the College's standards of conduct prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees, on the College's property or as part of any of its activities.

Examples of dangerous or disorderly conduct include:

- **Illegally possessing, using, or distributing any scheduled drugs**

Possession, distribution, or the use of illegal drugs and narcotics, including amphetamines, marijuana, cocaine, heroin, and LSD, renders a student liable to disciplinary action, including confiscation of materials, disciplinary action up to and including dismissal, and/or referral to local police authorities.

- **Violating the College's alcohol policy**

Bates College observes all laws governing the use of alcoholic beverages within the State of Maine and does not condone violation of these laws by any student at any time. Students are held person-

ally responsible for complying with all aspects of Maine laws and Bates alcohol policy. The prohibitions of the Bates Student Conduct Code and Maine law include, but are not limited to, the following:

1. The sale of alcoholic beverages by any person who does not have a license to sell such beverages in full force and effect at the time of the sale;
2. The sale of alcoholic beverages by any person to a person who has not attained the age of 21 years;
3. Consumption or purchase of alcoholic beverages by any person who has not attained the age of 21 years;
4. The furnishing of, procurement of or delivery of alcoholic beverages to a person who has not attained the age of 21 years;
5. The furnishing of, procurement of, or delivery of alcoholic beverages to a person who is intoxicated;
6. The presentation of any written or oral evidence of age which is false, fraudulent, or not a person's own for the purpose of ordering, purchasing, or attempting to purchase or otherwise procuring or attempting to procure intoxicating liquor by a person who has not attained the age of 21 years;
7. Transportation by automobile within the state of Maine of alcoholic beverages by any person who has not attained the age of 21 years.
8. Possession or consumption of hard alcohol or any beverage containing hard alcohol by any student on the premises of the College, at any College-sponsored event, or while the student is engaged in a College-related activity.

Violations of Maine law at reserved ("blue-slipped") College facilities or at scheduled events occur at the risk of the individuals involved and are not the responsibility of the College.

Violators of these policies may be subject to disciplinary action, including confiscation of materials, the revocation of the privilege of using College facilities for such events and/or referral to the Deans of Students or Student Conduct Committee. The College reserves the right to involve law enforcement authorities and/or undertake legal proceedings against a student for the violation of this policy.

The College will also utilize its counseling resources to help students involved with drugs and alcohol.

- **Possessing a weapon on campus**

Weapons prohibited on campus include but are not limited to firearms, ammunition, knives, BB or pellet guns, bows, arrows and slingshots. These items are forbidden except by permission of the Bates College Security Office, which will register and store them. It is the responsibility of students to check with Bates College Security if there is a question of whether an item would be prohibited under this policy.

- *Fire safety violations*
Possessing or producing explosives and setting fires are prohibited. Intentionally setting off a fire alarm, misuse of a fire extinguisher, or any action that might cause a fire in a College building will be considered a serious offense and may be met with disciplinary action, including suspension or dismissal by the Student Conduct Committee. Firecrackers, flares, and explosives are prohibited on campus. Setting off a false fire alarm incurs a fine that increases for repeated incidents.

- *Disorderly conduct*
Conduct which infringes on the freedom and activities of others, or conduct which is disruptive, harassing, or a nuisance may constitute disorderly conduct.

- *Failing to leave a College building after a fire alarm has sounded or other notice of fire has been given, whether or not a drill.*

- *Urination or defecation in any location not designated for that purpose.*

- *Conduct which disrupts normal operations of the College and/or impedes access to College facilities.*

4. Actions Against the Institution

Conduct which involves the unauthorized accessing or alteration of documents and records controlled by the College, including class papers and examinations, or improper use of College resources may constitute an “action against the institution.”

Examples of actions against the institution include:

- *Altering a College ID*
- *Tampering with College documents or records by hand or electronically*
- *Misappropriation of College funds*
- *Claiming falsely to represent the College or a College-registered organization*
- *Use of any College resources including electronic and physical in support of any for-profit enterprise*
- *Information, network, computer, and telephone violations*

Violations may include improperly accessing, or changing access to, or improperly changing information on or removing information from another’s computer or telephone. “Violations of authorial integrity including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.” (From *Using Software*, published by EDUCOM. Used with permission.)

Any user who either accesses information to which they have no right or uses an excessive amount of system resources is acting in an unethical manner. Information and Library Services reserves the right to take whatever actions are necessary to prevent a user from violating the

rights of other users. Students who violate these standards for use of information, network, and computers may also be subject to disciplinary action by the Dean or the Student Conduct Committee. The College Computer Use Policy provides a detailed description of the responsibilities of users of the College’s computing resources.

- *Misrepresentation to gain access or use of a service or facility*

Violations may include lying in order to gain access to a College building, office, lab, and so on.

5. Obstruction of College Procedures

Conduct which interferes with the regular procedures of the College, investigation of alleged offenses, the process by which they are resolved, or their outcomes, or that violates any College policy, including but not limited to the Computer Use Policy, Residence Hall and Dining Service Regulations, and parking regulations, may constitute an “obstruction of College procedures.” Application of this section shall not be used to restrict the exercise of free expression of any member of the College community.

Examples of obstruction of College procedures include:

- *Refusing to identify oneself to College employees in the pursuit of their duties or to comply with appropriate instructions (e.g., refusing to provide one’s name or to disperse when asked to do so by campus Security).*
- *Refusing to appear before College administrators or Security personnel charged with authority in matters of student conduct.*
- *Refusing to attend or to testify when called as a witness in a Student Conduct Hearing.*
- *Knowingly providing false information to any College official with intent to deceive during any phase of the student conduct process (including the investigatory stage) or conspiring with others to do so.*
- *Harassing witnesses or others involved in the disciplinary process at any time during the student conduct process, including the time during which any penalty is in effect.*
- *Violating the terms of any sanction imposed by appropriate authority (e.g., the Dean of Students Office or the Student Conduct Committee) in a disciplinary matter.*
- *Bribing or attempting to bribe a College official.*
- *Use or possession of a forged, altered, or falsified document including fake IDs.*
- *Assisting a person in violating a College policy or attempting to violate a College policy.*

Part II: Disciplinary Process

A. Investigation of Complaints Alleging Misconduct

All reports of misconduct shall be referred to the Dean of Students Office, which shall have the authority to investigate such reports and refer students for alleged violations of the Code of Conduct to the appropriate level of the student conduct system. The

Dean of Students oversees the overall student conduct system and delegates authority to Assistant or Associate Deans of Students to act as the Judicial Dean(s) both broadly and in given situations. Before referring a student for an alleged violation, the Judicial Dean shall conduct such investigation into the facts and circumstances of the reported misconduct as may be necessary, at a minimum, to establish that there is reasonable cause to believe that (1) there has been a violation of the Student Code of Conduct and Disciplinary Procedures and (2) a particular student has committed that violation. The Judicial Dean may conduct such additional investigation as the Judicial Dean may deem necessary to determine the pertinent facts of the matter at hand. For cases alleging violations of the sexual misconduct policy, all investigations shall follow the procedures outlined in the Sexual Misconduct and Harassment Policy.

1. The Judicial Dean calls students in for questioning at an initial stage of an investigation. Students are expected to cooperate with the Judicial Dean and must meet with the Judicial Dean when called upon to do so. For the purposes of this policy, a “respondent” is a student who is responding to an allegation that they violated the Code of Student Conduct. Although any person may bring a concern to the attention of the Judicial Dean for further investigation, for the purposes of this policy, a “complainant” is a student, faculty member or staff member who has brought a complaint to the attention of the Judicial Dean alleging that a student violated the Code of Student Conduct.
2. Any student called upon to provide information in connection with a disciplinary matter may ask a current member of the Bates College community (i.e., students, faculty, staff) to serve as advisor, provided that this individual is willing and available to serve at the appropriate time (i.e., without significantly delaying the investigation). The Judicial Dean, annually or more frequently as needed, shall issue a general call to the College community, inviting faculty, staff, and students to serve as advisors, and shall maintain a list of those willing to serve in this capacity. A student may have an advisor present when s/he meets with the Judicial Dean. At the point where an investigation of major misconduct focuses on an individual student as a probable violator of the Code, that student should be told by the Judicial Dean of their right to have an advisor and be encouraged to use the advisor. The student should at the same time be told that there are faculty members, staff members, or students ready to serve as advisors to respondents who wish their service. Any time a student meets with the Judicial Dean, and the Judicial Dean is investigating that student for potential referral to the student conduct system, the student should be informed of the nature of the meeting with the Judicial Dean.
3. Students likely to serve as evidentiary witnesses are also to be reminded of their right to have an advisor when they meet with the Judicial Dean pursuant to an investigation. In cases involving an allegation of misconduct that falls into the category of “Actions Against Persons,” the com-

plainant is likely to be an evidentiary witness and should be encouraged to seek an advisor. Complainants should be informed that there are faculty members, staff members, or students ready to serve as advisors to complainants who wish their services. The complainant may be another student or a faculty or staff member. In cases of an Action Against Persons, when the complainant declines to be a witness or a formal complainant, the Judicial Dean may nevertheless proceed with a referral for misconduct if sufficient evidence, independent of the complainant’s testimony, exists to support the referral. In such cases there will be no complainant. Examples of sufficient independent evidence may include circumstances in which (a) there is sufficient testimony from an eyewitness other than the complainant or (b) there is authentic electronic or physical evidence or video or audio recordings which identifies the respondent and the complainant and depicts the act or acts of misconduct.

4. The Judicial Dean should provide the respondent (and the complainant in cases alleging Actions Against Persons) with another copy of the student conduct procedures.
5. While the Judicial Dean is preparing to refer a particular student in a case that will go to the Student Conduct Committee (SCC), the student and his/her advisor should be encouraged to meet with the Judicial Educator, who explains the disciplinary process (see Part III, A.3.). The student bears the responsibility for deciding whether and when to exercise this right to meet with the Judicial Educator.

B. Composition of the Pool of Members of the Student Conduct Boards

The pool of members from which the composition of the Student Conduct Committee or the Student Conduct Appeals Committee shall be drawn for a specific case shall be comprised of at least 24 members of the Bates community. The pool shall include a minimum of 8 students, 8 faculty members and 8 staff members. At least one member from each category shall be appointed as a non-voting Co-Chair. Student members are appointed by the Bates College Student Government’s Representative Assembly, following recommendations from the BCSG’s Student Committee on Committees. Faculty members are selected by the Committee on Faculty Governance and appointed by the President. Staff members are appointed by the President and may not ordinarily include members of the Dean of Students Office or Campus Security Officers. Ordinarily, all members of the pool shall be appointed by May 1 of each year for the following academic year.

The composition of the pool shall, as much as is feasible, reflect the compositional diversity of the Bates student body at large. Specific attention should be given to this during the recruitment and selection of new members.

The Judicial Dean shall arrange yearly trainings for all members of the pool. The initial training will provide an understanding of the scope of the Code of Student Conduct, the scope of the authority of the Student Conduct Committee and the Student

Conduct Appeals Committee, and information regarding sanctioning precedent for previous cases. No member of the pool shall hear a case prior to receiving this initial training.

The Judicial Dean will also arrange an additional training as early as feasible in the Fall semester. All members of the pool will receive training on the topic of cultural competency and diversity as it relates to their work on the committees.

C. Procedures for Resolving Alleged Misconduct

Following an investigation, a formal hearing before the Student Conduct Committee is not the only method for resolving disputes between members of the College community. The College provides several methods for addressing alleged violations of the Code of Student Conduct. The Judicial Dean has the authority and discretion to refer any given case to the method of resolution the Judicial Dean deems most appropriate in a given situation or to determine that there is not sufficient evidence to support a referral for a violation of the Code of Conduct. This decision is final and may not be appealed. For cases alleging violations of the sexual misconduct policy, all resolutions shall follow the procedures outlined in the Sexual Misconduct and Harassment Policy.

1. Dean's Review

The Judicial Dean shall have authority to render decisions in minor cases of misconduct where outcomes of suspension or expulsion are not being considered.

Penalties in these cases may include, but are not limited to, letters to a student's file, loss of various privileges, referral to counseling, community service, removal of a student from College housing or dining, other required actions, or being placed on probation.

The Dean's Review method of resolution is not a formal hearing. Rather, it provides an opportunity for a student accused of minor misconduct to meet with the Judicial Dean, discuss the allegations of misconduct, and have the Judicial Dean determine whether the student is responsible for the alleged violation and the appropriate penalty. For the Judicial Dean to find a violation of the Code, the Judicial Dean must determine that the alleged violation has been established by a preponderance of the evidence. To establish "by a preponderance of the evidence" means to prove that something is more likely than not. Any student called upon to speak to the Judicial Dean in connection with a disciplinary matter may ask another member of the current Bates College community to serve as an advisor (see Part III, A.1., below).

The decision in a minor case of misconduct shall not be recorded on the student's permanent record, but will remain in the student's confidential file until graduation. The Judicial Dean shall send the student a letter identifying the misconduct, stating the Judicial Dean's decision regarding penalties, and notifying the student of the right to appeal to the Dean of Students.

If the Judicial Dean makes a decision in a minor case of misconduct that the student accused of misconduct feels is unjustified, that student may

appeal the decision to the Dean of Students. The student appealing the decision must submit the appeal in writing to the Dean of Students within two class days from the time at which the original decision was communicated to them by the Judicial Dean. Students may appeal the decision of the Judicial Dean only on the following grounds: (1) the Judicial Dean violated the fair application of the procedures of the disciplinary process as outlined in the Code and such violation may have had a prejudicial effect upon the outcome of the Dean's Review; (2) new evidence was discovered after the Dean's Review and could not readily have been discovered beforehand and such evidence might have had an effect upon the outcome of the hearing; or (3) the penalty imposed upon the respondent is grossly inappropriate. The Dean of Students may affirm, reverse, or otherwise modify the original decision of the Judicial Dean.

2. Student Judicial Board

The student members of the Student Conduct Committee shall have authority to render decisions in minor cases of misconduct in a manner similar to the Dean's Review process. The Student Judicial Board ("Board") will hear cases of minor social misconduct that have impacted the residential or larger campus community in some fashion and only where penalties of suspension and expulsion are not being considered. Academic integrity cases shall not be heard by the Student Judicial Board.

Penalties in these cases may include, but are not limited to, letters to a student's file, loss of various privileges, referral to counseling, community service, removal of a student from College housing or dining, other required actions, and/or being placed on probation.

One student co-chair of the Student Conduct Committee will convene the Board and will lead the meeting. A quorum of at least three voting members plus one co-chair is required for the Board to be properly constituted. Other student co-chairs may serve as voting members in a case where both are present. Decisions of the Board are made by a majority vote of the voting members present. The co-chair will only vote in the case of a tie between the voting members.

The Student Judicial Board method of resolution is not a formal hearing. Rather, it provides an opportunity for a student accused of minor misconduct to meet with the Board, discuss the allegations of misconduct, and have the Board determine whether the student is responsible for the alleged violation and the appropriate penalty. The Judicial Dean will provide the Board with copies of the investigation file prior to the hearing for review. For the Board to find a violation of the Code, the Board must determine that the alleged violation has been established by a preponderance of the evidence. To establish "by a preponderance of the evidence" means to prove that something is more likely than not. Respondents and complainants may request that witnesses attend the Board meeting. The Board co-chair is responsible for the calling of witnesses and has discretion over

which, if any, witnesses are called. If witnesses attend the meeting, members of the Board may ask questions and the respondent and complainant may ask questions through the co-chair. In cases alleging Actions Against Persons, a complainant shall have the right, but shall not be required, to attend the meeting and to ask questions of the respondent and any witnesses through the co-chair. Any student called upon to speak to the Board in connection with a disciplinary matter may ask another member of the current Bates College community to serve as an advisor (see Part III, A.1., below). All hearings of the Student Judicial Board shall be recorded. A copy of the recording shall be maintained by the Judicial Dean.

The decision in a minor case of misconduct shall not be recorded on the student's permanent record, but will remain in the student's confidential file until graduation. The Judicial Dean shall send the student a letter summarizing the decision of the Board with a rationale, identifying the misconduct, stating the Board's decision regarding penalties, and notifying the student of the right to appeal to the Dean of Students.

If the Board makes a decision in a minor case of misconduct that the student accused of misconduct feels is unjustified, that student may appeal the decision to the Dean of Students. The student appealing the decision must submit the appeal in writing to the Dean of Students within two class days from the time at which the original decision was communicated to the student by the Judicial Dean. Students may appeal the decision of the Student Judicial Board on only the following grounds: (1) the Student Judicial Board violated the fair application of the procedures of the disciplinary process as outlined in the Code and such violation may have had a prejudicial effect upon the outcome of the hearing; (2) new evidence was discovered after the hearing and could not readily have been discovered beforehand and such evidence might have had an effect upon the outcome of the hearing; or (3) the penalty imposed upon the respondent is grossly inappropriate. The Dean of Students may affirm, reverse, or otherwise modify the original decision of the Board.

3. Conflict Resolution Options

The Judicial Dean shall have discretion to refer a complaint for mediation, a restorative justice conference, or other forms of conflict resolution on which community members have been trained. All parties involved in the case must agree to the proposed conflict resolution option and must agree to be bound by the outcome with no review or appeal. The outcome of any conflict resolution option shall not include a formal finding in a student's record and may not result in probation, suspension or expulsion. The outcome of conflict resolution will be kept in the confidential files of those involved for reference only. The record will not be used in any College proceeding or hearing in the future. Should conflict resolution be unsuccessful, the case may still be referred by the Judicial Dean to another adjudication option present in this Code.

The Judicial Dean will develop and maintain a program to train interested students, faculty, and staff who may wish to serve as facilitators of various conflict resolution options.

In cases alleging sexual assault, mediation is not an appropriate option. In cases involving sexual harassment, mediation may be considered, but either party will have the right to terminate the process at any time and to request a referral to another resolution option.

In cases alleging violations of academic integrity policies, conflict resolution options are not considered to be appropriate.

The Judicial Dean or others on campus may refer cases for conflict resolution that do not involve an alleged violation of the Code of Conduct.

4. Student Conduct Committee

Cases of misconduct that are not resolved by Conflict Resolution and are more serious than can be resolved by a Dean's Review or through the Student Judicial Board are heard by the Student Conduct Committee (SCC). All major cases of misconduct where there is sufficient evidence to support a charge as described in the investigation process above shall be referred by the Judicial Dean to the Student Conduct Committee. A major case of misconduct is any case wherein, in the judgment of the Judicial Dean, appropriate disciplinary action if taken might involve suspension or dismissal. The SCC may make use of any of the penalties in Section C below.

The SCC is charged with the authority to hold hearings, to determine whether or not a violation of College policy has occurred, and to issue appropriate penalties.

Students whose misconduct is addressed through an SCC hearing have an opportunity to offer their account of the events in question and can provide the Committee with relevant information which might explain the conduct. The Committee may also hear from several types of additional witnesses, described below in b.5. Students charged with misconduct have an opportunity to respond to information provided by others at the hearing.

The SCC deliberates in closed session to determine whether a violation of College policy has occurred. The Committee also decides what penalties are to be imposed.

a. Composition of the SCC

1. For each case referred to the SCC, the composition of the panel will be drawn from the pool of eligible and trained members. For the majority of cases, the panel will be composed of six voting members: two students, two faculty members and two staff members plus two Co-Chairs who shall be non-voting. The selection of the specific individuals to hear a particular case will be made at random from among those eligible. If a member is unable to participate in a hearing for any reason, a substitute will be selected from among those eligible if time permits. A quorum for a hearing is

five members total and must include at least four voting members and one Co-Chair. A member must be in attendance throughout a hearing and may not join a hearing already in progress.

For cases alleging violations of academic misconduct policy, the composition of the panel shall be made in the same manner as above except that the panel shall be composed of three faculty members, two students and one staff member. It will also include the faculty Co-Chair and an additional Co-Chair selected at random.

For cases alleging violations of the sexual misconduct policy, the composition of the panel shall be composed of individuals designated as the Sexual Misconduct Board as described in the Sexual Misconduct Policy and Procedures. The Sexual Misconduct Board shall follow the procedures described in the Sexual Misconduct and Harassment Policy.

If a student is entitled to another hearing after a successful appeal, a new panel will be selected at random from the members who did not participate in the original hearing. If this is not possible, the President shall appoint a special, ad hoc panel from the faculty, staff, and student body consisting of two voting student members, two voting faculty members, two voting staff members and Co-Chair selected from either the faculty, staff or student body to hear the case. The special ad hoc panel shall hear the case in conformity with the Code of Student Conduct in all applicable respects and shall receive a training similar in scope to the initial training of the Student Conduct Board Pool prior to hearing any case. The initial training will provide an understanding of the scope of the Code of Student Conduct, the scope of the authority of the Student Conduct Committee and the Student Conduct Appeals Committee, and information regarding sanctioning precedent for previous cases.

2. The respondent and the complainant (in cases alleging Actions Against Persons) may petition the Co-Chairs of the SCC at a pre-hearing conference to remove, on the basis of actual bias, any standing SCC member from the upcoming hearing (on the pre-hearing conference, see b.4 below). Opposition to any member's participation must be based on a specific and actual bias related to the individual or to the event in question. Challenges must be made at the pre-hearing conference with the Co-Chairs of the SCC. The decision whether to remove a Committee member from a hearing panel is at the sole discretion of the Co-Chairs. A Committee member should be removed from a panel only when, in the judgment of the Co-Chairs, the member's presence would seriously compromise the fairness of

a hearing. If bias is alleged against either of the Co-Chairs, then the Dean of the Faculty will rule on removing the Co-Chair(s) from the hearing panel. If both Co-Chairs are removed, the remaining Co-Chair will serve as Co-Chair for the hearing. In the event that no Co-Chairs are eligible to serve, the most senior remaining faculty member in the eligible pool will serve as Co-Chair. Members of the SCC shall recuse themselves from a hearing if they have a specific and actual bias related to the individual or event in question. Actual bias exists when a member cannot fairly and impartially render a decision or settle upon an appropriate penalty should the respondent be found to have engaged in misconduct. Having a respondent or complainant in one's class is not, on its face, reason for recusing oneself. Nor is social acquaintance with the individual. Nor is the mere fact that a member has sat on another hearing panel in which a party to the present case was a respondent, complainant, a witness or an advisor, or in another hearing on the same matter as the case at hand. At the hearing, after members of the SCC in attendance have been informed who the parties in the hearing are, who the witnesses in the hearing will be, and what the charge is, the Co-Chairs shall inquire if any members think it necessary that they recuse themselves from the hearing. Individual members may consult with the Committee as they deliberate about whether or not to recuse themselves. Either Co-Chairs may recuse themselves earlier in the process, when they first learn who the parties in the case are and what the charge is, or at any time thereafter. If both Co-Chairs recuse themselves, the third Co-Chair will serve as Co-Chair for the hearing. In the event that no Co-Chairs are eligible to serve, the most senior remaining faculty member in the eligible pool will serve as Co-Chair. If, for any reason that cannot be resolved by rescheduling the hearing, the SCC lacks a quorum to hear a case, the Co-Chairs shall so advise the President. The President shall thereupon appoint replacements from the faculty, the staff and the student body, as needed to maintain the intended composition of the SCC, to hear the case.

b. SCC Hearing

All authority for further deliberation and judgment in cases referred by the Judicial Dean to the Student Conduct Committee rests with that Committee. The Judicial Dean will aid the Committee in further investigations that the Committee might authorize.

The Student Conduct Committee conducts its inquiry and deliberations through a two-step process: (i) a closed hearing, during which all evidence upon which the Committee will base its subsequent decisions shall be introduced; and (ii) a closed Committee session during

which the evidence introduced at the hearing shall be considered by the Committee, and during which both a decision regarding student involvement in the alleged misconduct and a decision regarding disciplinary action shall be reached.

Students called to testify as witnesses in Student Conduct hearings are required to testify and to do so truthfully. A respondent, any complainants or any prospective witness may ask the Co-Chairs to relieve them of the obligation to testify. The Co-Chairs of the Student Conduct Committee may relieve an individual of the obligation to testify if the Co-Chairs judge that the person's reason for being relieved is a reasonable concern about self-incrimination in a pending or potential criminal matter. When an individual is so relieved, the Student Conduct Committee members are to draw no inferences from the individual's choice not to testify or from the Co-Chairs' decision to relieve the individual from testifying.

The Co-Chairs of the Student Conduct Committee may request the Judicial Dean to begin disciplinary procedures against any student who refuses when called to testify in a Student Conduct hearing. If a witness declines to testify prior to a hearing, or if a witness, after being called by the Co-Chairs of the Student Conduct Committee, unjustifiably fails to appear for or refuses to testify during a hearing, the Co-Chairs may proceed with the hearing without the witness's testimony, may adjourn the hearing, or may take such other measures which, in the Co-Chairs' discretion, are necessary to serve the interests of justice.

1. In cases referred to the SCC, the Judicial Dean informs the student in writing of the charge, with the alleged misconduct stated with sufficient specificity to allow the student to prepare to answer the charge. The statement of the principal charge shall be deemed to include all lesser offenses, if any, which constitute elements of the stated offense. At this time the Judicial Dean shall also deliver to the respondent, and in cases of Actions Against Persons to the complainant, a copy of the investigative file, which may include a statement of the facts, dates, times, and events relevant to the charge, a list of persons having knowledge of the case, and their statements and/or interview notes pertaining to their statements, on hand at that time. Any additional information relevant to the charge which emerges after this initial delivery of the investigative file will be furnished by the Judicial Dean to the respondent, and in the case of Actions Against Persons, to the complainant, as soon as reasonably possible after its receipt by the Judicial Dean.
2. The notice of a Student Conduct Committee hearing also states the time and date of the hearing, which shall be held between two and five class days from the time of noti-

fication. The Judicial Dean, a respondent, or, in the case of Actions Against Persons, the complainant, may request that an alternative time period be specified by the Co-Chairs of the Student Conduct Committee. The Co-Chairs may then set an alternative time period within which the hearing is to be held. In the case of charges brought very late in a semester, or under other circumstances, the Co-Chairs might even postpone a hearing into a subsequent semester. In deciding whether to honor such a request, the Co-Chairs shall consider (i) the health, safety, and educational progress of all involved, including the College community, (ii) the complexity of the case, and (iii) the likelihood that delay or hastening would markedly serve the cause of fairness. The President has the authority to cause a case to be heard earlier or later in exceptional circumstances.

3. Prior to the hearing, the Co-Chairs of the Committee meet with the respondent to assure understanding of rights and pending procedures. The Co-Chairs also meet separately with the complainant in cases involving allegations of Actions Against Persons. These "pre-hearing conferences" have several functions: to hear challenges to SCC hearing panel composition based on actual bias (see subsection a.2 above), to answer questions regarding the hearing process, to provide lists of potential witnesses to the Co-Chairs, and to allow the Co-Chairs to preview the scope of witness testimony. Decisions regarding each of these issues are at the sole discretion of the Co-Chairs. In cases of alleged Actions Against Persons, when all pre-hearings have been held, the Co-Chairs of the SCC will share with the respondent and any complainants a list of all potential witnesses identified in the pre-hearings.
4. There are two types of witnesses who may be called to testify at an SCC hearing: "evidentiary" and "character." Evidentiary witnesses have direct, i.e., firsthand, knowledge of events and circumstances relevant to the case. Character witnesses testify regarding the character of the person who has requested their appearance (either the respondent or a complainant in cases alleging Actions Against Persons). Character witnesses must be members of the Bates community (i.e., current student, faculty, or staff). Evidentiary witnesses may be accompanied to the hearing by an advisor from within the Bates community.
5. All witnesses are called by the Co-Chairs of the Student Conduct Committee. All such witnesses are notified by the Judicial Dean of the time and place of the hearing. If the Judicial Dean learns that a called witness is unlikely to appear at a Student Conduct hearing, the Judicial Dean shall notify the respondent, and, in the case of alleged

Actions Against Persons, the complainant, that the witness seems unlikely to attend. Any student with knowledge of alleged misconduct may provide the Judicial Dean with names of possible evidentiary witnesses. The Judicial Dean will provide the Co-Chairs of the SCC with a list of potential evidentiary witnesses whom the Judicial Dean has found to have direct knowledge of events and circumstances relevant to the case, be that knowledge favorable or unfavorable as regards the respondent. The Judicial Dean will also indicate to the Co-Chairs any of those potential witnesses the Judicial Dean deems sufficiently redundant in the information they have to offer as to be not needed in the hearing. The Co-Chairs of the SCC will call, *inter alia*, each witness whom the Judicial Dean names as not excessively redundant, so long as the Judicial Dean establishes, to the satisfaction of the Co-Chairs of the SCC, a *prima facie* explanation for how that proposed witness might have direct knowledge of events and circumstances relevant to the case. The Co-Chairs of the SCC should be notified in advance of the hearing, preferably at the prehearing conferences, what witnesses the parties wish to be called. The respondent and any complainant, in cases alleging Actions Against Persons, may each propose to the Co-Chairs that the Committee call one character witness. The Co-Chairs shall call any proposed character witness, so long as the proposed witness is a member of the Bates community. The Co-Chairs will call specific evidentiary witnesses at the request of the respondent and, in cases alleging Actions Against Persons, at the request of complainants, subject only to the provisos noted below.

Evidentiary witnesses identified at the pre-hearing as potential witnesses by the respondent or any complainant will be called by the Co-Chairs of the SCC, provided that (i) the party wishing a witness be called establishes, to the satisfaction of the Co-Chairs of the SCC, a *prima facie* explanation for how that proposed witness might have direct knowledge of events and circumstances relevant to the case, and (ii) if the list of evidentiary witnesses proposed by any party exceeds six, the party wishing a witness to be called establishes, to the satisfaction of the Co-Chairs of the SCC, a *prima facie* explanation for why that specific witness is not redundant, given other witnesses. The Co-Chairs will exercise their judgment about the adequacy of such explanations so as to protect the integrity and effective functioning of the SCC; considerable latitude will be allowed respondents and complainants in the identification of evidentiary witnesses.

Evidentiary witnesses identified only after the pre-hearing as potential witnesses by the respondent or any complainant will be

called by the Co-Chairs of the SCC, subject to three provisos: (i) the party wishing the witness be called establishes, to the satisfaction of the Co-Chairs of the SCC, a *prima facie* explanation for how that proposed witness might have direct knowledge of events and circumstances relevant to the case. (The Co-Chairs will exercise their judgment about the adequacy of such explanations so as to protect the integrity and effective functioning of the SCC; considerable latitude will be allowed respondents and complainants in the identification of evidentiary witnesses.); (ii) the Co-Chairs conclude that the proposed witness's testimony will be helpful to the SCC; and (iii) the Co-Chairs conclude that adding the witness at that particular juncture in the process would not unfairly burden other parties preparing for the hearing.

6. On the morning of the SCC hearing, the Co-Chairs of the Student Conduct Committee shall issue to the respondent, and to the complainant in cases alleging Actions Against Persons, the final list of witnesses who will appear at the hearing. This final witness list shall be made available at the office of the Dean of Students, and it shall be the responsibility of the respondent and, if applicable, complainant to pick up the list at the time. Names may be added to the witness list after this time, if the Co-Chairs judge that their testimony will be helpful to the SCC.
7. A respondent who has been properly notified of the Committee hearing and who fails to appear shall be considered to have waived the right to be heard by the Committee, and the hearing may proceed without the respondent.
8. Any student participating in a hearing may be accompanied to the hearing by an advisor from within the Bates community (see Part III, A.1.).
9. The hearing shall be private. Only the members of the Committee, the Judicial Dean, the respondent, and the respondent's advisor are present. Witnesses may be present only as they are called to testify. A complainant in cases alleging Actions Against Persons, and the complainant's advisor, may be present during any testimony which relates to the incident that is the subject of the complaint or that relates directly to the complainant. Discretion on these matters rests with the Co-Chairs of the Committee.
10. Each member of the Committee and the Judicial Dean shall have the opportunity to question all witnesses. The respondent may question all witnesses through the Co-Chairs. In cases alleging Actions Against Persons, the complainant may also question witnesses through the Co-Chairs when testimony is relevant to the complaint at issue. The Co-Chairs may instruct a stu-

dent or witness not to answer questions that the Co-Chairs deem to be irrelevant or improper.

11. At the conclusion of all testimony and statements, the Committee meets in closed session to determine whether or not the respondent has violated the Code as charged or by having committed a lesser offense included within the offense charged. For the Committee to find a violation of the Code, this Committee must determine that the offense charged has been established by a preponderance of the evidence. To establish "by a preponderance of the evidence" means to prove that something is more likely than not. The Judicial Dean is not present during the Committee's deliberation and its vote. Individual cases should be heard on their own merits and not be used to set College policy, except as an incidental result of the Committee's decision.
12. If the Committee finds that a violation of the Code has occurred, it continues to meet in closed session to determine the penalty. During penalty deliberation the Judicial Dean may be called back to provide non-evidentiary information as requested by the Committee. The Judicial Dean will present and the Committee will only consider evidence of charges adjudicated by Dean's Review, the Student Judicial Board, the Student Conduct Committee, or other relevant information in the student's file. The Judicial Dean will not participate in or make recommendations concerning penalties discussed and/or voted on by the Committee. The respondent and the respondent's advisor may be present at the initial stage of the penalty deliberation to respond to non-evidentiary information provided by the Judicial Dean to the Committee from the respondent's file. The Committee may ask questions of the respondent based on the information conveyed from the file or the respondent's response to that information.
13. When a student is found to have violated the Student Conduct Code, the Co-Chairs of the SCC shall orally convey to the student the Committee's rationale for its decisions with regard both to the violation and to the penalty.
14. Decisions of the Committee on Student Conduct shall be final, subject only to appeal by the respondent and the complainant in cases alleging Actions Against Persons.
15. Except as otherwise stated by the Committee, any action decided upon by the Committee shall take effect two class days after the decision is made unless the Committee decision is appealed, at which point the action will be suspended pending appeal.
16. The Co-Chairs of the SCC shall ensure that

for every SCC hearing a qualified notetaker shall take detailed notes and that an audio recording is made of all portions of the hearing at which the respondent is entitled to be present. The detailed notes shall form the basis of a summary record of the hearing. The Co-Chairs may review and amend the summary record as appropriate. The summary record together with the audio recording and any witness statements, documents, photographs or other things admitted into evidence, shall be the official record of the hearing. These notes, once approved by the Co-Chairs of the SCC, together with the audio recording shall be the official record of the hearing. The office of the Dean of Students shall have custody of the official record of every SCC hearing and shall maintain this material in a secure location for a period of not less than seven (7) years after the last date of the hearing. The official record of an SCC hearing will be made available to an appealing student and/or to members of the Appeals Committee only under controlled circumstances assuring that the official record cannot be lost or altered.

c. Voluntary Resolution Without Hearing

At any time prior to the start of a hearing, the respondent may elect to seek a voluntary resolution without a hearing by the Student Conduct Committee. Such a voluntary resolution may be achieved in either of two ways:

1. Voluntary Resolution by Agreement

The respondent may seek resolution of a pending charge by asking the Judicial Dean to recommend a resolution. The Judicial Dean, after consulting with the complainant (if any) and any other affected person(s) and the Co-Chairs and after considering what result would be in the best interest of the College, shall then propose a final resolution to be approved by the Dean of Students. If the respondent agrees to the resolution proposed by the Judicial Dean, the Dean shall give notice of the resolution to the complainant and other affected persons and shall apply to the Co-Chairs of the Student Conduct Committee for approval of the proposed resolution. The Co-Chairs shall thereupon schedule a voluntary resolution review meeting as soon as possible to consider the proposed resolution and shall give notice of the place and time of that meeting to the Judicial Dean, the respondent, and the complainant.

The Judicial Dean and the respondent shall attend the voluntary resolution review meeting called by the Co-Chairs of the Student Conduct Committee. The respondent's advisor and support person, if any, the complainant, and the complainant's advisor and support person, if any, shall have the right but shall not be obliged to attend. The voluntary resolution review meeting shall be private. Only the Co-Chairs, the

Judicial Dean, the respondent, the complainant, their advisors, their support persons, and a secretary, may be present. The secretary shall take detailed notes of the meeting.

At the meeting the Co-Chairs will inquire into the proposed resolution and the facts and circumstances supporting the violation. If the Co-Chairs, after inquiry of those attending the meeting, determine that the proposed resolution is fair, appropriate, and in the best interest of the College, the Co-Chairs shall approve the proposed resolution, and shall prepare a written statement of the resolution and its approval. The voluntary resolution, once approved by the Co-Chairs, shall have the same force and effect as a decision and penalty imposed by the Student Conduct Committee and shall become effective immediately.

If the Co-Chairs do not approve the resolution they may propose changes to the resolution to which both the respondent and the Judicial Dean must agree. If the Judicial Dean or the respondent do not approve the changes to the resolution, if the Co-Chairs cannot reach consensus on a decision, or if the Co-Chairs wish for the full committee to hear the case, the charge shall be heard by the Student Conduct Committee. Any statement made by a respondent at a voluntary resolution review meeting cannot, in itself, be entered as evidence at a subsequent SCC hearing on the charge considered in the voluntary resolution review meeting.

Nothing contained in this subsection titled "Voluntary Resolution Without Hearing" is intended to limit the Judicial Dean's investigation of the matter at hand. In particular, even though the statements of a respondent made at a voluntary resolution review meeting are not themselves admissible in a hearing before the Student Conduct Committee, the Dean may nevertheless use information contained in those statements to guide further investigation of the matter. Evidence gathered in such further investigation will be admissible in the subsequent Student Conduct Committee hearing.

2. Voluntary Resolution by Withdrawal

A respondent has the right to withdraw from the College at any time, rather than proceed to hearing before and decision by the Student Conduct Committee. The respondent shall notify the Judicial Dean of their decision to withdraw from the College. The withdrawal must be effective immediately or on a date approved by the Dean of Students. A student who elects to withdraw from the College while charges are pending before the Student Conduct Committee shall have no right to apply for readmission. In exceptional circumstances, however, the Dean of Students may grant permission to apply for readmission to a

withdrawing or withdrawn student. If such special permission is granted, readmission will not be automatic and may be denied or offered subject to such terms and conditions as the Dean may deem to be appropriate. The transcript of a student who withdraws under these circumstances shall contain the notation "Voluntary withdrawal with disciplinary charges pending." A respondent exercising the right to withdraw voluntarily under this subsection must, as a requirement of such withdrawal, execute and deliver to the Dean of Students, on a form provided by the Dean, a written statement confirming (a) the respondent's voluntary withdrawal with disciplinary charges pending, (b) the date on which such withdrawal shall be effective, (c) the respondent's acknowledgement that the respondent's official college transcript will thereafter bear the notation "Voluntary withdrawal with disciplinary charges pending," and (d) any terms and conditions of the withdrawal.

There shall be no right of appeal from a voluntary resolution (a) by agreement or (b) by withdrawal, and all such voluntary resolutions shall be final. The Judicial Dean shall inform a respondent that these options for voluntary resolution of a charge without hearing are available at the time of giving written statement of the charge to the respondent under Section II.B.4.b.1.

d. Sanctioning Conference

In cases where the allegation or allegations in question are not being disputed by the respondent, the respondent may request a Sanctioning Conference to determine the penalty only.

The Judicial Dean and the respondent shall attend the Sanctioning Conference called by the Co-Chairs of the Student Conduct Committee. The respondent's advisor and support person, if any, the complainant, and the complainant's advisor and support person, if any, shall have the right but shall not be obliged to attend. The Sanctioning Conference shall be private. Only the Co-Chairs, the Judicial Dean, the respondent, the complainant, the respondent's and complainant's advisors, the respondent's and complainant's support persons, and a scribe, may be present. The scribe shall take detailed notes of the meeting.

At the Sanctioning Conference, the Co-Chairs will inquire into the facts and circumstances of the violation. The Judicial Dean will present evidence of other charges adjudicated by Dean's Review, the Student Judicial Board, the Student Conduct Committee, or other relevant information in the student's file. The Judicial Dean will not participate in or make recommendations concerning penalties discussed and/or voted on by the Co-Chairs. The respondent and the respondent's advisor may be present at the initial stage of the penalty deliberation to respond to non-evidentiary

information provided by the Judicial Dean to the Committee from the student's file. The Co-Chairs may ask questions of the respondent based on the information conveyed from the file or the respondent's response to that information. The Co-Chairs, after inquiry of those attending the conference, shall determine the appropriate resolution and shall prepare a written statement of the resolution. The outcome shall have the same force and effect as a decision and penalty imposed by the Student Conduct Committee and shall become effective two class days after the decision has been conveyed, unless appealed. Decisions made through a Sanctioning Conference are final and only subject to appeal to the Appeals Committee. Appeals from a Sanctioning Conference may only be made on the grounds that the penalty is grossly inappropriate.

e. "Statement on Confidentiality and Public Reporting

All participants to a disciplinary hearing are reminded of their obligation to maintain confidentiality. The names of individuals involved in a case as well as all pre-hearing proceedings, testimony, evidence, deliberations and discussion shall remain confidential. Similarly, the hearing record and all proceedings on appeal are confidential. Violating this confidentiality may be considered a form of retaliation and may be investigated as a violation of this Code.

In order to inform the College community about matters of student discipline, however, the following information, excluding all references personally identifying the individuals involved in a case, will be made available for inspection to the College community:

1. The formal charge and decision of the Student Conduct Committee;
2. A file of cases heard by the Student Conduct Committee maintained by the Judicial Dean, in cooperation with the Co-Chairs of the SCC, which shall include formal charges, decisions of the Committee, and any penalties imposed. In appealed cases, actions taken by the Appeals Committee shall also be included; and
3. A report by the Co-Chairs of the Student Conduct Committee to the Faculty (which shall be made at the last regular Faculty meeting of each semester) on all action taken by the SCC since the preceding report.

Information contained in items 1, 2, 3, excluding all references personally identifying the individuals involved in a case, may be published in *The Bates Student*.

The Judicial Dean shall be exempt from the rule of confidentiality in responding to inquiries meeting any of the exceptions contained in 34 C.F.R. §99.31, issued pursuant to authority of the Family Educational Rights and Privacy Act (20 U.S.C. §1232(g)), as may from time to time be applicable."

f. Post-Hearing

A student found by the Committee to have violated the Code must abide by the penalties imposed by the Committee. Failure to abide by the terms of SCC penalties should be brought to the attention of the Judicial Dean for investigation and possible further disciplinary action. Any penalty imposed by the Student Judicial Board or Dean's Review, and any terms/conditions of Conflict Resolution, are similarly enforceable. If a student has appealed the penalty as imposed by the SCC, any prohibitions against contact between the respondent and any other witnesses remain in place. The student should refrain from contact with any members of the SCC and the Appeals Committee. Any attempt to influence or intimidate should result in investigation and further disciplinary action.

In most cases, the Office of the Dean of Students releases de-identified information on the charge and decision of the Committee to the campus community via *The Bates Student*. In some instances, for example where a case involves situations or charges which have not been brought before the SCC in the past, the Committee may choose to issue an explanation of the general policy which was followed in coming to their decision in the case. The Student Conduct Committee is restricted from speaking about the specific details of any case by confidentiality rules which protect the privacy of all students involved in the case. The function of educating the student body regarding the rules and obligations of student life is essentially the responsibility of the Dean of Students Office and takes place outside the context of specific case hearings.

The President (or designee) may withhold the degree of a student found in violation of this Code and who has not fulfilled each condition or requirement imposed as a penalty by the SCC. The degree may be withheld until the fulfillment of all outstanding obligations.

g. Status of Student During the Disciplinary Process

At any stage of the disciplinary process including the investigation stage, the status of a respondent shall not be altered, nor shall the respondent's right to be present on campus or attend classes be suspended, except as deemed necessary by the Dean of Students (or designee) to insure the physical and/or emotional safety of the members of the College community or to protect College property. However, during this time the Dean of Students may impose on the respondent prohibitions against contact with a complainant, other witnesses, or certain other members of the Bates community, may require the respondent to reside in a location other than the respondent's ordinary residence, and may take such other steps as the Dean determines to be necessary to protect the respondent, the complainant, witnesses, other members of the Bates community, and/or the community at large. All actions taken pending

a hearing must be documented in writing to the respondent with a copy to the Co-Chairs of the Student Conduct Committee and must include a rationale.

D. Disciplinary Actions

The normal actions taken on student misconduct are as follows:

1. *Censure.* Penalties involving censure are available to the Judicial Dean at a Dean's Review, the Student Judicial Board as well as to the Student Conduct Committee. The term "censure" applies to a variety of actions resulting in letters to a student's file and/or loss of privileges and may include any one or any combination of the following actions:
 - a. Loss of the privilege of participating in any public function (e.g., literary, dramatic, forensic, radio, television, musical, or athletic) wherein the participant will be thought of as a representative of Bates College;
 - b. Loss of housing or dining privileges on campus;
 - c. Loss of privilege of participating in social or ceremonial events on campus;
 - d. Loss of the privilege of maintaining a motor vehicle on campus;
 - e. A requirement that a student resign membership in any or all offices, elected or appointed, held in campus organizations;
 - f. A letter from either the Judicial Dean or the Co-Chairs of the Student Conduct Committee with a copy to the parents or guardians;
 - g. Any other restriction (except probation, suspension, or dismissal) that seems appropriate to the offense.
2. *Required Action.* Penalties that require a particular action of a student are available to the Judicial Dean at a Dean's Review, the Student Judicial Board as well as to the Student Conduct Committee. This may include requests to attend various forms of counseling or educational sessions. A student may be told by the Committee, Board or the Judicial Dean to engage in some form of community service (this service may take place either on or off the Bates campus, or both). The Committee, Board or Judicial Dean may either specify the terms of such counseling, education or service, or may designate another individual or body to determine appropriate terms.
3. *Disciplinary Probation.* The term "disciplinary probation" means that a penalty of suspension or dismissal is held in abeyance and will take effect only after the Committee finds that the student has committed a further offense. If a student already on disciplinary probation comes before the Committee for a second case of misconduct and is found to have violated the Code of Student Conduct again, the first penalty held in abeyance now goes into effect. The Committee also may take additional action on

the second offense. Disciplinary probation is not recorded on the student's permanent record, but will remain in the student's confidential file until graduation.

4. *Suspension.* The Committee may suspend a student for a specified period of time, or indefinitely. The Committee also may impose conditions to a student's readmission to the College. A student who is suspended must leave the campus and may not return until the suspension is revoked. Unless otherwise specified, the suspension goes into effect immediately (within two class days) and the student is dropped from all courses. In some cases, the Committee may decide to defer the suspension until the end of the semester. Any student who is suspended must return their College I.D. to the Dean of Students Office. Suspension will be noted on the student's official transcript, but only during the time that it is in effect.
5. *Dismissal.* The Committee may dismiss (i.e., expel) a student. This severs with finality a student's connection with the College. Dismissal will be noted on the student's permanent record and on the student's official transcript.

In determining appropriate penalties, the Student Conduct Committee may well decide that some combination of these penalties should be imposed. The Committee's penalty decisions should specify any special conditions. Unless otherwise provided for by the Committee, all penalties go into effect two class days after the hearing.

E. Appeals

1. Student Conduct Appeals Committee

a. Composition

1. The Appeals Committee for any given case is composed of one voting student member, one voting faculty member, one voting staff member and a non-voting Co-Chair. All members for a given case will be selected at random from the pool of eligible members who did not serve on the Student Conduct Committee for the case. The Co-Chair shall be a faculty member, staff member or student Co-Chair who did not serve as Co-Chair for the Student Conduct Committee hearing. In the event the remaining Co-Chair(s) are not eligible to serve for any reason, the most senior remaining faculty member in the eligible pool will serve as Co-Chair. The Co-Chair will vote at the hearing only in the case of a tie. Every member hears cases brought before the Committee unless a member is excused or recused. A quorum for a hearing is two voting Committee members and Co-chair. Ordinarily, a member must be in attendance throughout a hearing and may not join a hearing already in progress. Recusal procedures shall be conducted in the same manner as the Student Conduct Committee. The President serves as a member of the Appeals Committee in a non-voting, ex officio capacity.

For cases involving violations of the sexual

misconduct policy, the Vice President for Student Affairs and Dean of Students will serve in place of the Appeals Committee following the procedures described in the Sexual Misconduct and Harassment Policy.

b. Appeal Committee Procedures

1. Right to Appeal

- a. A respondent against whom a penalty has been imposed by the SCC shall have the right to appeal the decision to the Appeals Committee.
- b. A complainant shall have the right to appeal any decision to the Appeals Committee.
- c. The Judicial Dean shall have the right to appeal the penalty imposed by the SCC to the Appeals Committee.

2. Appeals may be grounded only upon the Judicial Dean's belief that the penalty is not commensurate with the violation or upon the respondent's or complainant's belief that:

- a. the SCC violated the fair application of the procedures of the disciplinary process as outlined in the Code and such violation may have had a prejudicial effect upon the outcome of the hearing;
- b. new evidence was discovered after the hearing and could not readily have been discovered before the hearing and such evidence might have had an effect upon the outcome of the hearing; or
- c. the penalty imposed upon the respondent is grossly inappropriate.

3. Notification of Appeal

- a. The appellant shall file written notice of appeal with the President within 10 calendar days from the time the appellant is told of the decision of the SCC. This letter must state clearly the specific ground(s) on which the appeal is being made.
- b. All authority for further deliberation and judgment of an appeals case rests with the Appeals Committee. The Appeals Committee will decide upon the scope and procedures of its deliberations. All deliberations of the Appeals Committee shall be private and in closed session.
- c. Decision of the Appeals Committee shall be rendered by a majority vote of the members.

4. Disposition of Appeal

- a. Any decision of an Appeals Committee shall be based solely upon the record and, in appropriate cases, upon a showing of new evidence relevant to the grounds for appeal. All decisions shall be in writing, including a rationale.

Findings of fact shall not be set aside unless clearly erroneous, and harmless errors shall be ignored.

b. The decision shall affirm the original decision of the SCC unless the Appeals Committee sustains one of the above-specified grounds for appeal, in which case the Appeals Committee can:

1. reverse a finding of violation;
2. alter a penalty; or
3. remand a case to the SCC (in the form of an ad hoc panel as described in Section II.B.4.a.1.) for a new hearing in situations where there is new evidence to consider or if there were procedural errors.

c. The decision of the Appeals Committee is the final decision of the College on the matter.

5. The Appeals Committee Co-Chair, through the Dean of Students, shall notify both the respondent and complainant of the outcome of the appeal.

6. The faculty Co-Chair shall report to the faculty on action taken by the ad hoc Appeals Committee. Ordinarily this is done at the next faculty meeting subsequent to a decision.

F. Time

Any time period, deadline, or date prescribed by this Code may be changed or modified on request of the Judicial Dean, a respondent, or, in the case of Actions Against Persons, the complainant, by the Co-Chairs of the Student Conduct Committee. In deciding whether to honor such a request, the Co-Chairs shall consider (i) the health, safety, and education progress of all involved including the College community, (ii) the complexity of the case, and (iii) the likelihood that delay or hastening would markedly serve the cause of fairness. The President shall also have authority to cause a case to be heard earlier or later in exceptional circumstances.

Part III: Resources, Rights, and Responsibilities

A. Resource Persons

1. Advisor

Any student called upon to provide information in connection with a disciplinary matter may ask a current member of the Bates College community (i.e., students, faculty, staff) to serve as advisor, providing that this individual is willing and available to serve at the appropriate time (i.e., without significantly delaying the investigation and/or hearing). Staff and faculty not currently employed by Bates College, alumni of the College, and students not currently registered at the College may not serve as advisors. It is up to the student to decide whether and when to have an advisor present; the student may choose not to exercise this option. There are always faculty members, staff members, or students who have agreed to serve as the advisor to any respondent who asks. There are also always faculty members, staff members, or students who have agreed to serve as the advisor to any complainant who asks. The Judicial Dean has

the names of these willing “standing” advisors. In exceptional cases a particular standing advisor may be unavailable. Standing advisors are not intended to differ from other advisors whom students might select in any regard other than being generally available for service. The Judicial Dean will provide a basic training annually to all standing advisors detailing the policies and procedures contained in the Code and the role of the advisor in the process. The Judicial Dean will also offer an annual training to advisors on the topic of supporting complainants and respondents involved in sexual misconduct cases.

The role of the advisors is one of support. Advisors should assure that their advisees clearly understands all questions asked, and that their advisees clearly communicate their account of events. Advisors may wish to contact the Judicial Educator or the Co-Chairs of the Committee to gain fuller understanding of the disciplinary process. Advisors assist their advisees prior to the disciplinary hearing, attends the pre-hearing conference with the Co-Chairs, and are present with their advisees while the advisee is before the Student Conduct Committee. Advisors to respondents and complainants also may help their advisees identify appropriate witnesses. During the hearing, the advisor may pose questions to witnesses through the Co-Chairs and may make a statement to the SCC at the end of the hearing.

An individual who is scheduled to appear before the Student Conduct Committee as an evidentiary or expert witness may not act as an advisor. In the event that the student’s advisor has been asked to serve as a character witness, this testimony is presented at the conclusion of the hearing.

2. *Support Person*

In student conduct hearings regarding alleged Actions Against Persons, both the respondent and the complainant may ask a current member of the Bates community to provide personal support to the student during a student conduct hearing, providing the chosen individual is willing and able to serve at the appropriate time. The Health Center shall stand ready to provide a support person for any respondent or complainant who asks. The supporter is separate from the student’s chosen hearing advisor, if there is one. The supporter may attend the pre-hearing conference with the student and may speak with the student during the student conduct hearing, but may not ask any questions or give any testimony at the hearing. It is up to the student whether to have a support person present; the student may choose not to exercise this option. Complainants may ask the College’s Sexual Assault Victim’s Advocate to serve as the complainant’s support person.

3. *Judicial Educator*

The Judicial Educators serve as resource persons, not currently associated with the SCC or the Dean of Students Office, who are available to explain the disciplinary procedures of the College. Ordinarily, the Co-Chairs of the Student Conduct Committee shall recommend and the President appoint two former members of the Committee

to serve as Judicial Educators for each academic year.

While the Judicial Dean may provide the student with an initial outline of the disciplinary process during the investigation, any student or faculty person involved in a conduct case (including witnesses and advisors) may make use of a Judicial Educator to answer questions about the College’s conduct procedures.

The Judicial Educators are available to students even before an investigation is begun by the Deans. For example, a student who has a grievance against another student may wish to speak with a Judicial Educator to learn what options are available for pursuing the matter on campus. When a charge is brought, the respondent (and the complainant in cases alleging Actions Against Persons) should be encouraged by the Deans to meet with a Judicial Educator, but such a meeting is not mandatory.

B. *Summary of Student Rights and Responsibilities*

1. *Respondent’s Rights and Responsibilities*

Respondents have opportunities to make decisions affecting their own welfare throughout the process by which an allegation of misconduct is resolved. This is fundamental to the principles of fairness upon which the Code and its procedures are constructed. Respondents accused of either academic or social misconduct always have the right to be heard and to present their side of the story. Specifically, respondents have the following rights and responsibilities:

- a. The right to notification of the charges with sufficient specificity to allow for preparation to defend against those charges.
- b. The right to be accorded the procedures outlined in the Code of Student Conduct, including a prehearing conference at which the student may challenge, on the basis of actual bias, the presence of any member of the SCC at the hearing; to meet with a Judicial Educator and to have an advisor, if the respondent so chooses; and the right to propose evidentiary witnesses, one character witness, and one expert witness.
- c. The right to adjudication of charges at a hearing.
- d. The right to attend the hearing, to make a statement to the Student Conduct Committee, and to question witnesses through the Co-Chairs.
- e. The right to respond to all statements, testimony, or other evidence offered at the hearing. (However, the respondent may not make statements while witnesses are testifying and being questioned.)
- f. The right to be free from harassment and retaliation from the complainant or other witnesses (or parties acting on their behalf) at any time during or after the investigation and hearing.
- g. The right to appeal a decision of the Student Conduct Committee to the Appeals

Committee.

- h. The responsibility to refrain from contact (direct or indirect) with the complainant or other witnesses, certain members of the Bates community or members of the community at large involved in the pending case, or with members of the Student Conduct Committee, when so directed by the Judicial Dean, the Student Conduct Committee, or its Co-Chairs.
- i. The responsibility to make a good-faith effort at conflict resolution options when this option is chosen by all parties as an alternative method of resolution.
- j. The responsibility to abide by the instructions of the Co-Chairs of the Student Conduct Committee, including instructions regarding witness testimony. (The Co-Chairs of the SCC always have the authority to remove from the hearing any individual whose conduct unduly interferes with the proceedings.)
- k. The responsibility to testify truthfully at the hearing.
- l. The responsibility to abide by the terms of a conflict resolution agreement or by any penalties determined by the Student Conduct Committee, a Dean's Review, or the Student Judicial Board.

The respondent may consult with an attorney, but that attorney may not be involved in the College's disciplinary processes. In the very specific circumstance where the College has initiated disciplinary proceedings while a criminal case arising out of the same conduct is pending against the student in court, the student shall be allowed to have an attorney present during the College disciplinary proceeding. Even then, any attorney retained by the student has an extremely limited role as an advisor: the attorney may not make statements or ask questions at the hearing, but is simply available to advise the student during the proceedings. Note that if a current member of the College community is otherwise eligible to serve as an advisor to a student, that individual will remain eligible to serve as an advisor regardless of the individual's status as a practicing or nonpracticing attorney, or of the individual's experience or education in the legal field.

Note: The Committee Co-Chairs always have the right to remove from the hearing any individual, including an attorney, whose conduct unduly interferes with the proceedings. In the event that the respondent plans to have an attorney attend the Student Conduct Committee hearing, the respondent must inform the Co-Chairs in a timely manner so that the College can determine whether it wants its own attorney present.

2. Complainant's Rights and Responsibilities

(The rights and responsibilities described in this section are equally applicable, where relevant, to students and to faculty or other College employ-

ees who accuse a student of misconduct.)

While all cases which are brought before the Student Conduct Committee are presented by the Dean, in some cases there is a principal witness who alleges to have been injured by the respondent. This second party, the "complainant," also has much at stake at the disciplinary hearing, and has certain rights that the process must respect. For purposes of a Student Conduct Committee hearing, a student or College employee who accuses a student of misconduct is an evidentiary witness (as distinguished from a character or expert witness). In cases involving a charge of Actions Against Persons, the complainant has a particular set of rights and responsibilities, noted below at c. and d.

- a. The right to bring to the attention of the Judicial Dean an incident of misconduct by another student. This does not include the right to insist on a hearing before the Student Conduct Committee, since it is the Judicial Dean who has authority to conduct an investigation and to determine whether a case should go forward.
- b. The right to meet with a Judicial Educator and to have an advisor, if the complainant so chooses.
- c. In cases of misconduct involving Actions Against Persons: the right to meet with the Co-Chairs of the SCC at a pre-hearing conference at which the complainant may challenge, on the basis of actual bias, the presence of a member of the SCC at the hearing; to make a statement at the hearing; and to propose evidentiary witnesses, one character witness, and one expert witness; the right to be present during any testimony which relates directly to the complainant and the right to pose questions through the Co-Chairs when the testimony relates directly to the complainant; and the right to be informed of the decision of the Student Conduct Committee. (The right to be present at the hearing is not absolute, however; the complainant may not make statements while witnesses are testifying and being questioned.)
- d. In cases specifically involving allegations of sexual misconduct, the complainant has rights comparable to those of the respondent throughout any disciplinary process.
- e. The right to be free from harassment and retaliation from the respondent or other witnesses (or parties acting on their behalf) at any time during or after investigation and hearing.
- f. In cases involving an alleged sexual misconduct incident, the right to notice of options for, and available assistance in, changing academic and living and working situations, if the complainant so requests. This notice of options and assistance in changing academic and living, and working situations shall be provided by the Judicial Dean as soon as possible after the alleged incident of sexual misconduct is brought to the attention of the College. Such

changes in academic, living, and working situations shall be made if they are reasonably available.

- g. The right to be informed of the outcome of the disciplinary proceeding.
- h. The right, in cases involving Actions Against Persons, to be notified of the option to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the complainant so chooses.
- i. The responsibility to testify truthfully at the hearing.
- j. The responsibility to refrain from contact (direct or indirect) with the respondent or other witnesses, certain members of the Bates community or members of the community at large involved in the pending case, or with members of the Student Conduct Committee, when so directed by the Deans, the Student Conduct Committee, or its Co-Chairs.
- k. The responsibility to make a good-faith effort at conflict resolution when this option is option of mediation is chosen by all parties as an alternative method of resolution.
- l. The responsibility to abide by the instructions of the Co-Chairs of the Student Conduct Committee, including instructions regarding witness testimony. (The Co-Chairs of the SCC always have the authority to remove from the hearing any individual whose conduct unduly interferes with the proceedings.)

Both the respondent and complainants are reminded that they have a number of resources available to them when instances of misconduct are being addressed by the College. As specified in the rights and responsibilities above, both have available to them the Judicial Educator as well as an advisor from within the Bates community. There are also resources outside the College of which they may avail themselves. Any person who feels they have been the victim of a crime always has the option of going to local law enforcement officers and pursuing the case through the criminal court system.

The respondent or complainants may benefit from meeting with a psychological, religious, or substance-abuse counselor to discuss difficult issues and problems raised by the alleged incident of misconduct. While counselors are available through the College and confidentiality is maintained, in some instances parties to a conduct case may feel more comfortable seeking the assistance of someone not associated with the College, and they should feel free to do so.

The complainant may consult with an attorney, but that attorney may not be involved in the College's disciplinary processes. In the very specific circumstance where the College has initiated disciplinary proceedings while a

criminal case arising out of the same conduct is pending against the respondent in court, the complainant shall be allowed to have an attorney present during the College disciplinary proceeding. Even then, any attorney retained by the student has an extremely limited role as an advisor: the attorney may not make statements or ask questions at the hearing, but is simply available to advise the student during the proceedings. Note that if a current member of the Bates College community is otherwise eligible to serve as an advisor to a student that individual will remain eligible to serve as an advisor regardless of the individual's status as a practicing or nonpracticing attorney, or the individual's experience or education in the legal field.

The College Policy on Reporting Student Disciplinary Matters

Certain outside agencies, potential employers, and graduate and professional programs require applicants to permit their undergraduate institution to release the contents of student disciplinary records. Under the Bates College Code of Student Conduct, certain violations are considered "reportable" and would be eligible to be disclosed. Other violations would not be eligible to be disclosed. This document will clarify what is considered "reportable" by Bates College and when the student may be required to self-disclose certain violations, even if the college may be unable to verify the conduct.

The Code of Student Conduct draws a distinction between minor and major cases of student misconduct. Minor cases of misconduct are those that have been adjudicated through a process other than the Student Conduct Committee or have resulted in a penalty other than probation, suspension or expulsion. Minor cases of misconduct are never considered "reportable" and would not be disclosed by Bates College to those seeking access to a student's disciplinary file.

Major cases of misconduct are those that have been heard by the Student Conduct Committee, in which a penalty of probation, suspension, or expulsion has been imposed. Cases in which probation or suspension is the outcome are considered "reportable" until a student graduates from Bates. If a student transfers or for some other reason does not graduate from Bates, cases of probation and suspension are considered "reportable" indefinitely unless, after the period of any imposed sanction or probationary period has expired, the former student contacts Bates and provides proof of receipt of a Bachelor's degree from another institution. A former student exercising this option to have a suspension or probation notation expunged will be considered to have waived any right to reenroll at Bates College. If a student is dismissed (expelled) from Bates, the violation is noted on the student's permanent record and is considered "reportable" indefinitely. For violations that are considered "reportable," the college will report the nature of the violation (i.e., cheating, assault, drug use, etc.) and the sanction imposed.

Probation is never noted on a student's official

transcript. Suspension is noted on a student's transcript, but only during the period of the suspension. Expulsion is permanently noted on a student's transcript.

Outside agencies, potential employers and graduate and professional programs may ask a student to self-disclose all or certain disciplinary matters from his or her undergraduate career. Bates College encourages students to answer all such questions honestly even if the self-disclosed conduct would not be considered "reportable" from the college. Students should contact the Dean of Students Office if there are questions regarding what conduct they are being asked to self-disclose.

Some agencies may ask a student to waive his or her rights to his or her entire file at Bates College, particularly in cases of federal background checks for security clearances. Please note that if a student should waive rights to his or her entire file, the agency will have access to all disciplinary files prior to the student's graduation, even those not normally considered "reportable" under the guidelines above. After graduation, all disciplinary files are removed from a student's file and would not be accessible except as pursuant to a lawfully issued subpoena. Note that even if formal disciplinary files are not accessible, Campus Security may be required to disclose incident reports involving the student if a student grants access to his or her entire file.

For any questions related to student disciplinary records, please contact the Dean of Students Office at 207-786-6220.

The College Non-Discrimination Policy

Bates College is committed to providing equal opportunity and an educational and work environment free from any discrimination on the basis of race, color, national or ethnic origin, religion, sex, sexual orientation, gender identity or gender expression¹, marital or parental status, age, disability, genetic information or veteran status and other legally protected statuses in the recruitment and admission of its students, in the administration of its education policies and programs, or in the recruitment of its faculty and staff. Bates College adheres to all applicable state and federal equal opportunity laws and regulations. All Bates College faculty, staff, students, contractors, visitors, and volunteers are responsible for understanding and complying with the Non-Discrimination Policy.

The college is dedicated to ensuring access, fairness, and equity for all persons in its educational programs, related activities and employment, including those groups who have faced historical barriers to full and fair integration and participation. Bates College maintains a continuing commitment to identify and eliminate discriminatory practices in every phase of college operations.

The Associate Vice President and Chief Diversity Officer coordinates the college's efforts to comply with any and all federal and state laws that prohibit discrimination on the basis of one or more of the protected characteristics listed above.

The college designates the Title IX Coordinator to

coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 as amended ("Title IX"). Title IX prohibits discrimination in educational programs on the basis of sex. Prohibited sex discrimination includes sexual harassment and sexual misconduct (including sexual assault) as defined by the college's policies.

Non-Retaliation

Retaliation against an individual who has raised claims of illegal discrimination or has cooperated with an investigation of such claims is prohibited. An individual who retaliates against someone who has reported a claim of illegal discrimination in good faith is subject to discipline up to and including termination of employment and/or dismissal from the college.

Contacts

Associate Vice President and Chief Diversity Officer

Crystal Williams
Lane Hall, Room 201
Phone: 207-786-6031
cwilliam@bates.edu

Interim Title IX Coordinator

Gwen Lexow
Lane Hall, Room 202A
Phone: 207-786-6445
glexow@bates.edu

Office for Civil Rights, U.S. Department of Education

Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Phone: 617-289-0111
Fax: 617-289-0150
ocr.boston@ed.gov

Maine Human Rights Commission

#51 State House Station
Augusta, ME 04333
Phone: 207-624-6290
Fax: 207-624-8729

The Maine Human Rights Commission is the State agency charged with enforcing Maine's anti-discrimination laws, including the Maine Human Rights Act (MHRRA).

The College Residence Hall and Dining Service Regulations

Residence Hall Regulations: Student Rights, Privileges, and Responsibilities

Residence Halls and Living Space

Room Assignments. Bates is a residential college. Campus residence is *required* of all students except for those individuals who have been granted special permission by the Office of the Dean of Students to reside off campus.

The Deans reserve the right to reassign students for any reason, including the relocation of students without roommates or the placement of additional students in rooms that are not full. Whenever possible, such reassignments will be finalized at the start

of each term. The Housing and Residence Life Office will not permit one person to live in a triple or a quad alone. Students in such situations must find a roommate or they will be reassigned to a new space on campus.

Room assignments for upperclass students are determined through a room lottery by class year, and on the basis of room preference forms for new students. Unless a room change is specifically approved by the Office of the Dean of Students, students *must* reside in lottery-chosen rooms. Should a room/suite be picked with an upperclass student's lottery number and not occupied by that student, all occupants may be removed from the room and reassigned to a different room.

Room assignments are for the entire year. Two legitimate reasons have been identified for a room change request: (1) at the direction of the Health Center and (2) irreconcilable differences between roommates. As the College places emphasis on the value of mediation and conflict resolution as the means to resolve disputes, rooming changes will only be considered after the parties involved have attempted to reconcile differences with the help of a mediator such as a Junior Advisor or Residence Coordinator. Once the mediator judges such disputes, the Housing and Residence Life Office will review them. In situations involving first-year students, the Housing and Residence Life Office will also attempt to mediate the situation before a change is made. First-year students will not be placed in single rooms, except in extreme cases of need. Students may *not* move from one room to another without obtaining written permission from the Director of Housing. If a student has changed rooms without obtaining the appropriate permission, a \$200.00 illegal room change fine will be assessed to his or her account, and the student will be required to return to the original room.

Short Term. Students registered and in residence for Short Term remain in the same rooms they have occupied during the winter semester, unless the residence is closed.

Students wishing to change residence for Short Term must follow the same procedure outlined above and receive permission from the Director of Housing. The College reserves the right to close certain residences for Short Term. Every effort will be made to provide a two-week notice.

Furnishings. Each resident student is furnished with a bed, desk, desk chair, bureau, mirror, wastebasket, and recycling containers. All furniture must remain in the original student's room. After students have vacated a room, any remaining items that were not originally allotted to the room will be removed and a disposal fee of \$75.00 will be assessed. All lounge furniture must remain in the lounge space.

No structure serving as a bar or facilitating the distribution of alcohol is allowed. Questions regarding the purpose of a structure will be referred to the Dean of Students Office for resolution.

Alterations in the structure or painting of rooms, including built-in furniture, are prohibited. Waterbeds are not permitted.

Telephones in Student Rooms. The college-wide telephone system provides a telephone in each student room on campus. There are no installation fees and no fixed monthly charges for local calls. A \$40.00 charge for a replacement phone may be assessed if the phone is damaged. Any telephone problems should be reported to Help Desk Services at Ext. 8222.

Internet Connections in Student Rooms. The College-wide network system provides a network port in each room for each student. Use of the network and network services is subject to the terms set forth in the college "Computer Use Policy." In case of intentional damage to the network facilities, fees may be assessed for repair.

Custodial Services. Custodial workers are responsible for the normal upkeep of the bathrooms (with the exception of bathrooms within suites) and common areas of the residences. Any excessive mess is the responsibility of the students involved and under certain circumstances a cleaning charge may be assessed. Students are responsible for the upkeep of their room, including routine waste removal. Upon vacating the assigned room, all waste and personal items must be removed; if the room is carpeted it must be vacuumed, and if the room is a hard floor it must be swept clean. Facility Services will assess a cleaning fee of \$50.00 per room occupant for any room found not in compliance with these guidelines. A student may check out a vacuum or broom and dustpan from their custodian.

Residential Lounges. Some residence lounges may be reserved for general social and cultural functions. Reservations for event space may be made online at events.bates.edu. Reservations for events with alcohol must be initiated with the Student Activities Office and approved by the Residence Coordinator. First-year lounges cannot be reserved for events with alcohol. Activities that require additional cleaning of an on-campus residence will necessitate special charges made to the appropriate group or person. All lounge furniture must remain in the designated lounge space.

Satellite Dishes and Cable Access. Satellite dishes and individual contracts for cable or Internet services are not allowed. Cable access is provided in lounges in halls and houses, in common rooms of suites, and in other locations designated by the College. Any use of cable outside those approved by College policy is prohibited. Unauthorized cable installations will be removed and fined \$150.00 under the Damage policy.

Damage. Damages occurring in a residence will be repaired by the Facility Services Department at an appropriate time, and charges will be assessed in the fairest possible way. More info can be found on the Bates website: bates.edu/housing/housing/residence-and-dining-regulations-2/damage/. If damage charges are incurred, there will be a minimum charge to each student bill of \$5.00. Students who wish to hang wall decorations are encouraged to do so using molding hooks or adhesive sponges provided by Facility Services — free of charge. Nails, tape, and paste are damaging and their use may lead to charges.

Rooms are inspected for damages at the end of each semester. Items found in need of repair or re-

placement (caused by other than normal wear) will be charged equally to the last occupants unless the charges have been previously assumed. If there is a change in occupancy, rooms will be specifically checked for damages, upon request, by a representative of the Facility Services staff. Willful destruction of property may be cause for action by the Student Conduct Committee or the Dean of Students Office. The Facility Services Department retains the "Right of Entry" at all times for all rooms for the purpose of maintaining a safe physical environment. A listing of Dormitory Damage Standard Charges may be found online at bates.edu/facility/services-for-students/dorm-damage/dorm-damage-standard-charges-list.

The College is not responsible for theft of, or damage to, student belongings on campus. Students are strongly encouraged to ensure that their belongings are covered by the family's homeowners' insurance or to secure other private insurance to cover their belongings at college.

Pets. Small fish are the only pets allowed in residence halls, and fish tanks may not exceed 10 gallons in size. Upon receiving notice that animals have been located in a residential hall/house, the Dean of Students will send a letter to any student who has an animal residing in his or her residential room. This notification will require the immediate removal of the animal(s). A copy of the letter will be sent to the Office of Security and Campus Safety and logged there for follow-up by Security *the next day*. If the animal(s) is found on College property, the following procedures will be implemented immediately:

- A Security officer will proceed to the room in question, make contact with the resident(s) of the room and remove the animal(s). Animal(s) will be transported to the Security Office. Students may not deny the Security Officer entrance to the room.
- A private contractor retained by the College will then be notified to pick up the animal(s) at the Security Office for transport to the local SPCA. Student(s) will be billed a \$15.00 charge for the SPCA expenses. The Dean of Students Office will then be notified that the animal(s) have been removed.
- There will be no second notification for repeat offenders, and these may be subject to disciplinary action through the Committee of Student Conduct.

Recyclables. The Facility Services Department administers the comprehensive recycling programs in all residential, academic and administrative buildings. Recyclables at Bates, once placed in the common bins, are considered property of the College.

Solicitation / Use of Resources. Bates College does not permit the use of its resources (physical, electronic, financial or other) to support commercial enterprises, not-for-profit activities unrelated to the educational goals of the College, work on behalf of political candidates, or any activity that could compromise the tax-exempt status of the College. Reasonable use of College resources for personal noncommercial purposes is permitted if it does not entail a direct cost to the College, impede operations or violate College

policies. Bates College does not allow: (1) students to contract with outside vendors to perform services inside residence halls; (2) door to door solicitation of any kind without prior approval from the Director of Housing and Residence Life.

Please refer to the College Computer Use Policy, page 3, for more information regarding computer use related to the above activities.

Safety

Safety and Privacy. In taking a room in a residence hall, a student assumes responsibility for the use and general care of the room and its furnishings. The College respects the students' right to privacy and their desire to control their own living environment in balance with the College's responsibility to provide quality and safe residential facilities. Therefore, the College retains the right to enter students' rooms in cases of emergency or with cause and only with permission of the Dean of Students or his/her designee. The reason for the examination and the objects or information sought will be provided to the resident(s) at the time of entry.

This regulation in no way precludes normal maintenance required in students' rooms, including custodial service and the scheduled review of residences for the assessment of safety, loss and damage. College Security will contact Lewiston police if drugs or drug paraphernalia are seen in plain view. Students may then be subject to disciplinary action. At all times the Facility Services Department and/or the Environmental/Safety Departments reserve the right of entry into any space for health, safety and building-integrity purposes.

Except in cases of imminent danger, the occupant of the premises will be invited to be present during the examination, and will be informed of the reason for the examination and the object or information sought. **Note:** It is not possible to schedule room safety inspections to coincide with student availability.

In unusual circumstances, if dangerous or unsanitary materials must be removed from the premises, the above procedures may be dispensed with. Whenever possible, the student will be notified in advance, unless imminent danger prohibits such a delay or the student cannot be reached.

Fines. Fines may be charged for any safety violation. A safety fine will be assessed if violations recur or if the situation is deemed a serious threat to life or property. The level of fine will be determined based on the risk, the frequency of violations and the time and effort required to restore safe conditions. Fines will start at \$50.00.

Bicycles. Bicycles may not be stored on porches, in lounges or in hallways. Bicycles may not be locked to any part of a building other than an authorized bicycle storage rack. Bicycles found in violation of this policy will be confiscated, and chains, cables or locks on those bikes will be cut if necessary (and will not be replaced by the College). A bicycle may be reclaimed after the first offense by presenting a valid student ID and signing a claim form. If a bicycle is confiscated a second time, it will be held until the end of the academic year. Fines may be charged.

Cooking. Cooking is among the most frequent causes of residential fires. Cooking is not permitted in student rooms. Fire alarms set off due to cooking in rooms are subject to safety fines and confiscation of prohibited appliances. Cooking may only be done in designated kitchen areas and must not be left unattended.

The following items may be used only in kitchens: microwaves, bread makers, grilling machines, waffle irons, and slow cookers. The following cooking appliances are not permitted on campus: deep-fat fryers, toasters, and toaster ovens.

To conserve energy, microwaves are only allowed as part of a refrigerator/freezer/microwave combination unit, in which only one appliance can be run at a time. One unit is allowed per room, so you should coordinate with your roommate(s). For rentals and deliveries, one option we suggest is New England Student Services.

Decorations. No type of decorations, electrical lights, ropes, signs, or personal items may be hung or attached in any way to electrical fixtures or on the sprinkler piping or sprinkler heads. No alterations or adjustments are permitted which could potentially cause a sprinkler head to discharge. Safety fines may be assessed if warnings are ignored, and items will be confiscated.

Flammable Materials. Candles, incense, or any source of open flame or ignition are prohibited in student residences. Flammable materials such as gasoline, camp stove fuel, paint solvents, propane, butane, charcoal lighter fluid, or other highly flammable material may not be stored or used in student residences. Safety fines will be immediately assessed and prohibited items will be confiscated. Students may retrieve confiscated items at the end of the semester by contacting the Bates Environmental Health and Safety Department.

Electrical Appliances. Electric line load limitations prohibit the use of heavy-demand appliances in student rooms. One small refrigerator per resident is permitted in student rooms or in common areas. In no case may a refrigerator exceed 3.0 cubic feet or operate at more than 350 kWh. Larger-sized refrigerators, keg refrigerators, coolers, air conditioners, and space heaters are prohibited and will be removed if found, and students will be subject to a safety fine.

Light-demand electrical items, such as radios, stereos, alarm clocks, and televisions may be used within the limitations of safe operating conditions. If in doubt about multiple appliance usage, please contact the Facility Services Department's electrical staff for guidance. All electrical items should be unplugged if the student room will not be occupied for an extended period of time such as break periods. Use of cooking appliances is not permitted in student rooms. (Please also refer to *Cooking*, above).

Electrical Safety. Any electrical device that is modified after purchase is prohibited and will be removed. Students may not add wiring, remove or alter existing wiring, or use unsafe wiring devices. Outlet expanders are prohibited and will be confiscated. Thin-wire extension cords used for any purpose other than extending a single low-wattage item (e.g., lamp, radio,

alarm clock, cell phone charger) will be removed. Overloading thin-wire extension cords can lead to overheating and fire. Do not plug power strips into thin wire extension cords. In no case should power strips be plugged into other power strips.

In no case may current-carrying wire be run under carpets or taped across walking paths, door thresholds, or through doorways where pinching or other damage can result. Fines may be issued for unsafe wiring practices.

Firearms and Weapons. Firearms (including air guns), paintball guns, slingshots, bows and arrows, and ammunition, are not permitted anywhere on campus except in the secured location provided by the Security Office. Please make arrangements for storage with the Security Office to avoid violation of local ordinances and College regulations.

Fire Extinguisher Discharge Policy. Any use of fire extinguishers other than for the purpose of extinguishing fires is subject to safety fines and charges to cover the associated cleanup cost and will be referred to the Student Conduct Committee.

Penalties: When a fire extinguisher is discharged for reasons other than to put out a fire, the individual or individuals will be charged for the activation of the fire alarm, the cost to recharge or replace the fire extinguisher, and fees associated with the cleanup.

Depending on the circumstances, individual(s) discharging an extinguisher may be referred to the Student Conduct Committee and/or other appropriate judicial actions.

If no individual comes forward to take responsibility for the discharge, the fines will be attributed to all residents.

Fire extinguisher replacement: The fees for fire extinguisher discharge are \$132.42 for recharging and \$181.95 for replacement. **Cleanup cost is a minimum of \$1,000.00.** And the Life Safety tampering fine is \$75.00. (Fines/charges for false alarms are listed below in the False Fire Alarm Policy.)

Fire Protection and Combustible Materials. A fire in a college residence is a disaster that can be avoided by the mutual effort of residents and staff. The misuse of fire safety equipment (e.g., fire escapes, fire extinguishers, smoke detectors, sprinkler systems, and fire alarms) is not permitted and is a violation of public safety laws in the State of Maine. Smoke detectors, sprinkler heads and fire alarms may not be covered with tapestries or other materials. Nothing may be attached to or hung from sprinkler pipes or sprinkler heads. A \$75.00 fine will be assessed, and the items attached to or hung from the sprinkler pipes or heads will be confiscated. Students are responsible for all costs for the repair and/or replacement of any life safety item. All students should become familiar with policies regarding fire and life safety, administered by the Office of Environmental, Health and Safety.

Fire Alarm Activation Policy. Bates and the City of Lewiston charge a fine for all fire alarm activations. False alarms produced by human error or pre-medication waste money and endanger the lives of fire fighters and civilians. A false alarm is defined as "a visual or audible signal transmitted by an alarm sys-

tem which indicates the existence of an emergency situation, when in fact no such emergency exists.” This includes the activation of an alarm system by the following means:

1. The intentional and/or accidental pulling of a fire alarm pull-station.
2. Intentionally and/or accidentally introducing smoke or other objects into a smoke detector. Smoking is not allowed anywhere in student residences.
3. Tampering with a fire extinguisher
4. The throwing of articles such as balls and Frisbees, which inadvertently activate a smoke or heat detector.

The above actions will be referred to the Dean of Students. In the event that the individual(s) is not identified then the building occupants will be responsible for payment.

Charges to building occupants that activates a fire alarm as the result of drying, curling and/or straightening hair, or other activity that generates dust particles will be at the following charges:

First building alarm activation:	\$55
Second building alarm activation:	\$90
Third building alarm activation:	\$115
Fourth building alarm activation:	\$145
Fifth building alarm activations and thereafter:	\$380

Healthy Living Conditions. Rooms must be kept clean and uncluttered to maintain a clear pathway for egress in the event of an emergency. Living conditions that could adversely affect residents’ health and safety are prohibited. When residence hall staff, residence hall occupants, or other college staff determine that such conditions exist, residents must take immediate corrective action.

Holiday Decorations. Use only materials that are labeled noncombustible, flame restraint, or flame-retardant. Live cedar or balsam trees, wreaths, and garlands are prohibited. Decorations must not block or obscure exits, passageways to exits, or exit and emergency lights or signs.

Lighting. Halogen lamps, which operate at high temperatures, pose a serious fire risk and are therefore prohibited in all residences. Newer lamps may have safety features which may make them acceptable for use. Contact the Office of Environmental, Health and Safety if you have questions about your lamp’s safety status. Unsafe lamps will be confiscated. Improperly used incandescent lamps are also safety hazards. Lamps taped to bed frames or covered with potentially combustible material (e.g., clothing, tapestries, fabric, paper, athletic gear) will be confiscated. Lamps with bulbs which exceed their recommended wattage will be confiscated or the bulbs will be removed. Fines may be charged.

Lofts. Loft-beds are permitted only under certain circumstances consistent with room safety standards. None may be installed without prior approval/permit from the Safety Office, which is located in Human Resources. Students interested in installing a loft in their dormitory room must obtain a Loft Building Permit prior to building the loft. Regulations regard-

ing loft construction are attached to loft permits and should be used as a reference guide during construction. Lofts must be free standing. They may not be built in or attached to walls or woodwork in any way. Within one week of permit issue, all lofts will be inspected and if found acceptable, a legal-loft permit sticker will be attached to the loft. Lofts must be inspected any time they are moved to a new location (that is, each year or each semester if moved to a new room). Lofts found not in compliance with safety standards will be required to meet standards within a specified time frame, or they will be removed and fines will be assessed. If a legal loft has not been removed prior to the student vacating the room, it will be removed and a fee of \$75.00 will be charged to the student’s account. Should there be a loft in a room where no permit was obtained (an illegal loft), it will be removed and a fee of \$150.00 will be charged to the student’s account, to cover the permit, removal and disposal fees.

Personal Items. Personal items must remain in student rooms or placed in authorized storage areas. No decorations or personal items may be placed in hallways, other common spaces, or on the outside of the buildings. Items that are deemed hazardous to life safety will be removed regardless of their locations. If these items are found a second time they will be confiscated and a safety fine will be assessed. Students may retrieve confiscated items at the end of the semester by contacting the Bates Environmental Health and Safety Department. See Storage of Student Personal Items, below.

Roofs. It is unsafe for students to be on roofs and therefore prohibited.

Smoking. Smoking or the burning of any type of pipe, cigar, cigarette or similar product is prohibited in all campus buildings including residence halls and houses and their stairwells, porches or garages. Smoking is also prohibited within 50 feet (approximately 20 paces) of all campus buildings, including residences.

The presence of ash-filled ash trays and/or hookahs and water pipes will be considered proof of smoking in rooms and will be reported to Security and the Dean of Students Office. Water pipes and hookahs will be confiscated.

- **First violation** will result in a warning and/or a fine of \$50.00.
- **Second violation** will result in a fine of \$75.00.
- **Third violation** will result in being moved to a different building on campus and a mandatory meeting with the Alcohol, Tobacco, and Other Drug Counselor.

Tapestries. Tapestries that cover or hang beneath lights or fire safety equipment are not allowed and will be removed. Any fabric or paper hanging which has a potential to impede effective sprinkler operation or increases available fuel for a fire will be removed. Safety fines may be assessed if warnings are ignored, and items will be confiscated.

Guests in Residential Rooms

Overnight Visitation. Each student is entitled to the full use of his/her room at all times when the College is in session. If a student’s comfort or sense of priva-

cy is violated by unwelcome guests, he or she should discuss the situation with the roommate. If this is not satisfactory, he or she should report immediately to the Residence Coordinator, Junior Advisor or Housing Coordinator. Measures may include mediation or other forms of reconciliation.

Guest Policy. Guests who are not residents of the College and who use campus facilities for more than three nights in succession may face financial penalties and/or legal action. Guests' presence may not infringe upon the rights of other Bates students. Specifically, Bates students are not to be unwillingly deprived of their assigned sleeping accommodations because of guests. Any room, suite or apartment-mate or other Bates student who feels inconvenienced by a guest should first discuss the matter with the host student. If that brings no result, the student should contact his or her Junior Advisor, Residence Coordinator or the Housing and Residence Life Office.

Hosts are responsible for the actions of their guests/visitors and will face disciplinary action if their guests/visitors violate College or Residential Policies. The host must report the name and car license of each guest to the Security office. If the situation warrants, an exception to the three-night limit may be obtained from the Office of the Dean of Students. Any resident who provides permanent residence to a nonstudent or an off-campus student is in violation of College regulations and may be subject to disciplinary action.

Vacations. For the protection of students' safety and property, residences will be closed during some vacations. Students are not permitted access, except in the presence of College personnel. Rooms will be available for occupancy one day prior to the opening of each term and will be closed at the end of the examination period.

The College may provide residential accommodations for certain vacation periods to a limited number of students by prior arrangement. Whenever such an opportunity arises, the Dean of Students Office will notify all students in advance.

Social Responsibility

Any student who becomes disorderly and is involved in a disturbance, interferes with the rights of others, damages property, or is involved in unacceptable social behavior, individually or as a member of a group, shall be subject to disciplinary action at the discretion of the Dean of Students Office and the Student Conduct Committee.

Students are reminded that excessive noise, unruly behavior, and residence hall damage often compromise the quality of residential life and may be subject to disciplinary action, including removal from College housing.

Consistent with the Bates College Code of Conduct and the Student Conduct Committee, the College reserves the right to withdraw the privilege of attending college at Bates from any student. Neither the College nor any of its members shall be under any liability whatsoever for such exclusion.

Storage of Student Personal Items

The College has a limited amount of space in designated buildings which can be used for student stor-

age. Student storage is limited to three boxes. All items not contained in the three allowed boxes will be removed and disposed of. The College will attempt to safeguard all property left in these designated storage areas if securely packaged in accordance with the storage policy and tagged with Bates College Student Storage Tags, available at the Facility Services Office. The College cannot assume any legal or financial responsibility for property left in designated storage areas.

The student's identification (name, class year, and address) should also be listed inside the package, in the event that the exterior tag is separated from the package. There will be no storage provided for graduating seniors and there is a *one-year* storage limit for underclass students. After that time, the items will be considered "abandoned" and will be disposed of. The Storage Policy is posted at all storage locations or may be obtained by contacting the Facility Services Office.

Security

Access Cards. All students will be issued a Bates ID card. ID cards are used to gain entrance to the student's residence building 24 hours a day, and all other student residences during specific hours. Some academic and athletic buildings may be accessed with the ID card during evenings and weekends. The card is also used for identification in Ladd Library and Dining Services.

ID cards may be replaced for a fee of \$25.00. Replacement ID cards will be issued from the Access Control Office Monday through Friday from 8:30 a.m. to 4:30 p.m. Hours may be extended at the start and end of each semester and at the end of breaks. If an ID card is lost outside of business hours, a temporary ID card allowing limited access will be issued by the Security Office, valid until noon of the next business day.

Keys. Each student is issued one set of keys to his or her room. Keys are issued at the Access Control Office, in Chase Hall, Monday through Friday from 8 a.m. to 4:30 p.m. Other distribution locations and times may be available at the beginning of each semester. All students are required to pick up a key. Students must present their Bates ID card and sign for all keys received at the time of issuance. **Students who do not pick up their keys within the first week of the beginning of the semester will have their card access cut off.**

Key Return/Key Loss. Loss of and/or failure to return keys pose a serious threat to the security of the residents in the affected building and their property. Students must take responsibility to maintain possession of their keys and to return them on time.

All room keys must be returned prior to leaving campus. If keys are not returned to the Access Control Office on the final day of authorized residence or Commencement Day, whichever comes first, they will be considered unreturned/lost and a \$75.00 per-key charge and a \$25.00 late fee will be billed to the student's account.

The cost to replace a room key and to re-key the lock during the academic year is \$75.00 per key.

Room Changes. If the Housing and Residence Life Office authorizes a room change during the semester, all key exchanges must be conducted at the Access Control Office to ensure proper documentation. *Key swapping among students is not allowed.* Students have 48 hours to hold keys to both their previous residence and their new residence. Failure to return the key for the previous residence within 48 hours will result in a \$100.00 charge. Keys may be returned to the Security Office at 245 College Street only if Chase Hall is locked.

Students who leave campus early must surrender their keys to the Access Control Office prior to leaving campus, or their accounts will be charged as stated above.

For your convenience, a drop slot is available at the door of the Access Control Office. This box may be used when the office is closed. Keys in the drop slot must be properly identified with the student's name, ID number and residence.

Security Screens. Security screens are to be opened only in cases of emergency. Failure to comply will result in a \$150.00 fine.

Dining Service Regulations

All on-campus students are on the meal plan. Off-campus students may purchase meal privileges *by the semester* at the Student Financial Services Office, or *by the meal* at the current door rate in Commons. All resident students are entitled to three meals per day Monday through Friday, and two meals on Saturday and Sunday. Shirts and shoes must be worn in all College dining areas at all times.

Dining Service Hours of Operation (Effective Fall 2014)

Monday–Thursday

Breakfast 7 a.m.–10:30 a.m.
Lunch 10:30 a.m.–2:30 p.m.
Door closes at 2:30 p.m.
Dinner 4:30 p.m.–8:30 p.m.
Door closes at 9 p.m.

Friday

Breakfast 7 a.m.–10:30 a.m.
Lunch 10:30 a.m.–2:30 p.m.
Door closes at 2:30 p.m.
Dinner 4:30 p.m.– 8 p.m.
Door closes at 8:30 p.m.

Saturday

Continental 7:30 a.m.–9:30 a.m.
Brunch 9:30 a.m.–2:30 p.m.
Dinner 4:30 p.m.–8 p.m.
Door closes at 8:30 p.m.

Sunday

Continental 8:30 a.m.–10:30 a.m.
Brunch 10:30 a.m.–2:30 p.m.
Dinner 4:30 p.m.– 8:30 p.m.
Door closes at 9 p.m.

The first board plan meal for first semester is the Monday evening dinner before classes begin. The first board plan meal for second semester is the

Sunday night dinner before classes start on Monday. Following breaks, the first board plan meal is the dinner meal on the day before classes are scheduled to resume. The last meal for each semester is dinner on the final day of exams. The last meal prior to breaks is dinner on the final day of classes. Meals are available for purchase during limited serving hours during all vacation periods with the exception of October break, during which meals are included in the meal plan.

Off-campus students can make changes to their meal plan selection in the Housing and Residence Life Office until the end of the first week of classes each semester.

College charges are computed on the average number of meals consumed; therefore no allowance is made for meals missed. Students withdrawing from the College should consult the refund policy as outlined below.

Dining Hall Access. Access to the dining hall is limited to those students who have the proper identification card and to guests who purchase individual meals or use a student's guest pass. Students who give their ID cards to another person, share meals with someone not on the meal plan, **carry food out of the dining hall**, or otherwise create a disturbance therein may be subject to fines, loss of dining privileges, and/or community service hours in Dining Services.

Should an individual have special dietary concerns (e.g. food allergies or special dining needs), arrangements can be made with the Director of Dining for alternate dining options.

Arrangements for special menus for groups, organizations or individuals should be made with the Catering Manager. The private dining rooms may be reserved for student groups or organizations by booking online at events.bates.edu. Reservations for events with alcohol must be initiated and blue-slipped with the Student Activities Office.

Short Term

There is no additional dining charge for degree candidates attending Short Terms up to the limit of three. Therefore, no refund will be made for nonattendance. Off-campus Short Term programs usually involve charges in addition to those covered in this contract. Students are not eligible for a fourth Short Term. Only students meeting one of the following criteria will be granted access to campus residences and dining facilities during Short Term:

- Student enrolled in a Short Term unit.
- Graduating senior who has already completed three Short Term units and is engaged in an approved full-time activity on campus or in the community (form required from the Housing and Residence Life Office).
- Full-time teaching assistant for Short Term units, approved by faculty member (form required from the Housing and Residence Life Office).
- Full-time research assistant approved by faculty member (form required from the Housing and Residence Life Office).
- Member of in-season varsity athletic team.