

# Colby

## **Student Handbook 2021-2022**

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# 2021-2022 STUDENT HANDBOOK

For the 2021-22 academic year, Colby has also established a COVID-19 policy [https://my.colby.edu/ICS/COVID-19\\_Student\\_Policy.jnz](https://my.colby.edu/ICS/COVID-19_Student_Policy.jnz)  
That policy should be reviewed in addition to this handbook. If there are conflicts between the COVID-19 policy and this Handbook, the COVID-19 policy controls.

**Student Handbook Introduction:** The Colby community, including students, faculty, staff, trustees, members of the Board of Visitors, alumni, and community partners, is committed to maintaining a vibrant academic and residential environment built on a foundation of healthy and mindful living. As such, we are a community that prioritizes the intellectual, physical, social, emotional and spiritual well-being of all our members. To live well is to live well in relation to one another. To that end, our community supports personal growth and learning; assures individual rights and the well-being and dignity of others; promotes healthy choices in relation to self and others; and provides opportunities to make a positive impact on our communities.

As part of a healthy and respectful community, Colby has developed a set of resources to support students and has established policies and procedures that outline our shared community values. Under these community values students have a responsibility to ensure their behaviors and actions are grounded in respect, trust, and integrity. To be a member of our community means that each of us is accountable for our actions and words because we hold that the good health of our community depends on a citizenry that shares equal responsibility for the well-being of all its members. When student behaviors work against our community values, the vitality of our community is diminished. To restore the strength of our mutual connection, we aspire to turn toward one another and to work through dialogue as important steps toward accepting responsibility for our actions. Together, we create a strong, inclusive, and sound Colby community that values both its members and the spaces in which we live, learn, and work.

**Student Handbook:** The Colby College Student Handbook (Handbook) frames our community standards and provides a resource for creating an informed community accountable to ourselves and to one another. The Handbook includes information regarding resources and support services; policies and procedures that establish a healthy, supportive College community; and serves as a companion piece to the Colby College Catalogue. While the Student Handbook covers academic, administrative, health, and social resources and guidelines, the College Catalogue includes detailed information about academic programs, academic requirements and policies, course descriptions, off-campus study, and January Programs. Students are required to read and adhere to policies, regulations, and procedures in both the Handbook and Catalogue.

All students are expected to know and comply with the provisions in the Handbook and the catalogue as you have a responsibility to the greater College community. The policies apply during your enrollment at Colby College, whether on or off campus.

**Handbook Distribution and Alternative Format:** Students can locate the Handbook at [colby.edu/studentlife/student-handbook/2021-2022/](https://colby.edu/studentlife/student-handbook/2021-2022/). The online version includes links to important documents referenced in the Handbook. The online version is the official and most

up-to-date version of the Handbook. Students may request a hard copy by contacting the Dean of Students Office. Students who need an alternative format can contact the Dean of Students Office at 207-845-4250 or [dos@colby.edu](mailto:dos@colby.edu).

**Reader Notice:** This Handbook is not a contract. The College provides the information in the Handbook solely for the convenience of the reader and reserves the right to make changes to the Handbook, or to any policy or regulation, at any time without prior notice.

**Nondiscrimination Policy:** Colby is a private, coeducational liberal arts college that admits students and makes personnel decisions on the basis of the individual's qualifications to contribute to Colby's educational objectives and institutional needs. The principle of not discriminating on the basis of race, color, age, sex, sexual orientation, gender identity or expression, religion, caste, national or ethnic origin, marital status, genetic information, political beliefs, veteran or military status, parental or marital status, pregnancy, childbirth or related medical conditions, physical or mental disability unrelated to the job or course of study requirements is consistent with the mission of a liberal arts college and the law.

Colby prohibits retaliation against anyone who makes a good faith report of conduct in violation of Colby's discrimination or harassment policies, or against anyone who makes a good faith effort to disclose perceived wrongdoing. Further, Colby will not tolerate retaliation against any student who, in good faith, cooperates in the investigation of such conduct.

**Title IX:** Students are protected from sex discrimination under the federal law referred to as Title IX in the following areas: (1) admission; (2) access to course enrollment; (3) access to facilities; (4) counseling; (5) competitive athletics; (6) graduation requirements; (7) student rules, regulations and benefits; (8) treatment as a married, pregnant and/or parenting student; (9) housing, financial aid or health services; and (10) most other benefits and services.

## THE COLBY MISSION, PRECEPTS, AFFIRMATION AND VALUES

[colby.edu/registraroffice](http://colby.edu/registraroffice)  
[colby.edu/catalogue](http://colby.edu/catalogue)

**Colby's Mission and Educational Precepts:** Colby is committed to the belief that the best preparation for life, and especially for the professions that require specialized study, is a broad acquaintance with human knowledge. The Colby experience is designed to enable each student to find and fulfill the student's own unique potential. It is hoped that students will become critical and imaginative thinkers who are welcoming of diversity and inclusion; compassionate toward others; capable of distinguishing fact from opinion; intellectually curious and aesthetically aware; self-reflective; adept at synthesis as well as analysis; broadly educated with depth in some areas; proficient in writing and speaking; familiar with one or more scientific disciplines; knowledgeable about American and other cultures; able to create and enjoy opportunities for lifelong learning; willing to assume leadership roles as students and citizens; prepared to respond flexibly to the changing demands of the world of work; and productive citizens.

Colby stands for diversity and inclusion; for respect for various lifestyles and beliefs; and for the protection of every individual against discrimination. In the classroom and outside, there is

freedom to study, to think, to speak, to work, to learn, and to thrive in an environment that insists upon both civility and the free and open exchange of ideas and views. The behavior of individuals may often affect the rights and well-being of others, therefore all members of the campus community are responsible for fostering an environment in which teaching, learning, and research flourish.

The Colby Plan is a series of educational precepts that reflect the principal elements of a liberal education and serve as a guide for making reflective course choices, for measuring educational growth, and for planning for education beyond college. Students are urged to pursue these objectives not only in their coursework but also through educational and cultural events, campus organizations and activities, and service to others. These precepts, which the College believes are at the heart of a liberal arts education, as follows:

1. To develop one's capability for critical thinking, to learn to articulate ideas both orally and in writing, to develop a capacity for independent work, and to exercise the imagination through direct, disciplined involvement in the creative process.
2. To become knowledgeable about current and historical interrelationships among peoples and nations, and American culture.
3. To become acquainted with other cultures by learning a foreign language and by living and studying in another country or by closely examining a culture other than one's own.
4. To learn how people different from oneself have contributed to the richness and diversity of society, how prejudice limits such personal and cultural enrichment, and how each individual can confront intolerance.
5. To understand and reflect deeply upon one's own values and the values of others.
6. To become familiar with the art and literature of a wide range of cultures and historical periods.
7. To explore in some detail one or more scientific disciplines, including experimental methods, and to examine the interconnections between developments in science and technology and the quality of human life.  
To study the ways in which natural and social phenomena can be portrayed in quantitative terms and to understand the effects and limits of the use of quantitative data in forming policies and making decisions.
8. To study one discipline in depth, to gain an understanding of that discipline's methodologies and modes of thought, areas of application, and relationship to other areas of knowledge.
9. To explore the relationships between academic work and one's responsibility to contribute to the world beyond the campus.

**The Colby Affirmation:** Honesty, integrity and personal responsibility are cornerstones of a Colby education and provide the foundation for scholarly inquiry, intellectual discourse, and an open and welcoming campus community. Recognizing that promoting and safeguarding a culture of academic integrity and social accountability requires vigilance and active participation from all members of the community, the College appointed a task force of students, faculty, staff and members of the Board of Trustees that developed the Colby Affirmation. All members of the Colby community are expected to live by the tenets of individual accountability and collective responsibility articulated in the Colby Affirmation.

*Colby College is a community dedicated to learning and committed to the growth and well-being of all its members.*

*As a community devoted to intellectual growth, we value academic integrity. We agree to take ownership of our academic work, to submit only work that is our own, to fully acknowledge the research and ideas of others in our work, and to abide by the instructions and regulations governing academic work established by the faculty.*

*As a community built on respect for ourselves, each other, and our physical environment, we recognize the diversity of people who have gathered here and that genuine inclusivity requires active, honest, and compassionate engagement with one another. We agree to respect each other, to honor community expectations, and to comply with College policies.*

*As a member of this community, I pledge to hold myself and others accountable to these values.*

## **COLBY VALUES**

**Academic Integrity:** Intellectual integrity is a fundamental value of all academic institutions and is at the heart of the primary teaching, learning, and research activities of the College. Misrepresenting one's work, using sources without appropriate attribution, and giving or receiving unauthorized aid on assignments and examinations are dishonest acts that violate the core value of intellectual integrity.

**Diversity:** Colby is dedicated to the education of humane, thoughtful, and engaged persons prepared to respond to the challenges of an increasingly diverse and global society and to the issues of justice that arise therein. The College also is committed to fostering a fully inclusive campus community, enriched by persons of different races, gender identities, ethnicities, nationalities, economic backgrounds, ages, abilities, sexual orientations, political beliefs, and spiritual values.

**Campus Sustainability and Resource Conservation:** Colby is committed to nurturing environmental awareness through its academic program as well as through its activities on campus and beyond. As a local and global environmental citizen, the College adheres to the core values of respect for the environment and sustainable living. Colby seeks to lead by example and fosters morally responsible environmental stewardship. Environmentally safe practices inform and guide campus strategic planning, decision making, and daily operations. We urge community members to recognize personal and institutional responsibilities for reducing impact on the local and global environment. Finally, we recognize that achieving environmental sustainability will be an ongoing challenge that evolves as we become more aware and educated as a community.

**Residential and Social Life:** Because Colby is a residential college, students create a community that is simultaneously intellectual and social. The patterns and programs of social and residential life are administered so as to enhance faculty-student ties beyond the classroom; assure respect for persons and property as well as the individual rights, well-being, and dignity of others; promote understanding among all people; and foster personal growth and the opportunity to make lasting friendships. In the conduct of its social life Colby is

committed to several principles. First, while not every social event can or should be open to every student, campus social life as a whole should be open and welcoming to all students. Second, students retain the right to avoid social engagements when they so choose. To this end, departments, residence halls, teams, clubs, and other groups should strive to ensure that participation in social activities is neither formally nor informally required. Third, personal conduct at social events should be governed by respect for the rights and well-being of others, and adherence to College policies and regulations.

**College Catalogue:** Colby's academic program is among the preeminent liberal arts programs in the nation. The Colby experience challenges students to open their minds to new ideas, unfamiliar concepts, and diverse points of view. With over 50 majors, 32 minors and an independent major option, students have the flexibility to set their own course of study. Colby's singular dedication to undergraduate education and its emphasis on research and project-based learning mean that each student can tailor their academic program. The strong liberal arts curriculum provides excellent preparation for an unlimited range of career choices and graduate studies while giving students a better understanding of themselves, world and their places in it. Students should refer to the catalogue for complete information about academic requirements, programming, and regulations.

**Prohibition of Discrimination:** Colby is a private, coeducational liberal arts college that admits students and makes personnel decisions on the basis of the individual's qualifications to contribute to Colby's educational objectives and institutional needs. The principle of not discriminating on the basis of race, color, age, sex, sexual orientation, gender identity or expression, religion, caste, national or ethnic origin, marital status, genetic information, political beliefs, veteran or military status, parental status, pregnancy, childbirth or related medical conditions, physical or mental disability unrelated to the job or course of study requirements is consistent with the mission of a liberal arts college and the law. Colby is an affirmative action/equal opportunity employer and operates in accordance with federal and state laws regarding nondiscrimination. Any negative or adverse treatment which denies or limits a member of the Colby community or a visitor from obtaining educational benefits or interferes with that person's work environment at Colby because that member or visitor belongs to a group protected from discrimination, is prohibited discrimination. Examples of discrimination include a faculty member giving a student a lower grade because of the student's race, an employee receiving a negative performance review based on gender identity, or a student with a disability who is denied approved academic accommodations

## **Prohibition of Harassment**

Harassment consists of verbal or physical conduct, or conduct using technology, that targets one or more members of the groups which are protected from discrimination by federal, state or local law, or Colby policy, in a manner that promotes or incites hatred or contempt that creates a threatening, intimidating, or hostile environment at the College for that person or group. As noted above, at Colby, students, faculty and staff are protected from discrimination on the basis of age, race, color, religion, national or ethnic origin, caste, sex, sexual orientation, gender identity, genetic information, pregnancy, parental or marital status, political beliefs, veteran or military status, or disability unrelated to job or course of study requirements, and other protected categories under applicable local, state and federal law. Harassment can take the form of a single serious act, or may involve persistent harassing behavior. Examples of a single serious act include an employee humiliating a student in front of others by joking about their disability or

a Colby community member marking Nazi swastikas or writing a racial epithet on the door of a student who is part of a group protected from discrimination. An example of persistent harassing behavior include a teaching assistant continuing to tell jokes and tasteless remarks aimed at individuals who are members of a group protected from discrimination, after being asked not to do so.

A person's subjective (or personal) belief that behavior or expression (speech) is intimidating, threatening or hostile does not necessarily rise to the level of harassment. In determining whether harassment is sufficiently severe or pervasive to create a hostile work or educational environment, the harasser's conduct will be evaluated from the standpoint of a reasonable person. Even if particular behaviors or expressions do not constitute harassment, it does not mean the College is unable or unwilling to address the matter. Students are encouraged to contact the Associate Director of the Office of Community Values, Conflict Resolution, and Restorative Practice (OCVCRRP) with their concerns. Likewise, sexual harassment is a form of harassment. Please see the College's [Title IX Sexual Harassment Policy](#) and the Student Code of Conduct in the Student Handbook for more detailed descriptions about conduct which constitutes sexual harassment.

Expression occurring in an academic, educational or research context is considered a special case and is broadly protected by academic freedom. Such expression will not constitute harassment unless (in addition to satisfying the above definition) it is targeted at a specific person or persons, is abusive, and serves no bona fide academic purpose.

Harassment by one's peers, by any student, or by any employee of the College will not be tolerated. Behavior or expression which rises to the level of harassment is subject to sanction by the College under the Student Code of Conduct, or under the relevant sections addressing discipline and policy violations in the faculty and staff handbooks. Possible penalties for those found responsible of harassment include probation, suspension, expulsion, termination of employment, and civil or criminal lawsuits.

Those in positions of authority in all sectors of the College community must recognize that there is always an element of power in their relationships with persons having less authority. Faculty members must be aware that they can unexpectedly find themselves responsible for the instruction or evaluation of any student at the College. It is, therefore, the responsibility of the person in authority not to abuse that power. Relationships between consenting adults that would otherwise be acceptable can pose problems when one of the two has any kind of authority over the other. As set forth in the Student Code of Conduct and the [Title IX Sexual Harassment Policy](#), such relationships should be avoided.

## **Prohibition of Sexual Misconduct**

As set forth in the Student Code of Conduct and the [Title IX Sexual Harassment Policy](#), members of the Colby community, guests, and visitors have the right to be free from all forms of sexual misconduct. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Colby maintains a zero-tolerance policy for sexual misconduct, including sexual violence, domestic violence, dating violence, non-consensual sexual intercourse or contact, sexual harassment, sexual assault, sexual exploitation, and stalking.

**Student Code of Conduct:** In accepting membership in the Colby community, students agree to conduct themselves in a manner that is consistent with the values of an academic community, including but not limited to honesty, integrity, civility, personal responsibility, respect for the rights of others, and openness in the pursuit of knowledge and the search for truth, and to adhere to the following Student Code of Conduct: **Colby students will not lie, steal, cheat, or engage in dishonest or unlawful behavior or any other behavior intended to inflict physical or emotional harm on another person. Colby students must abide by College policies and comply with directions of College officials acting in performance of their duties.**

# ACADEMIC SUPPORT, STUDENT SERVICES, and RESOURCES

[colby.edu/life](http://colby.edu/life)

**The Colby Experience:** Life at Colby is centered on the notion that learning extends beyond the classroom into all aspects of the college experience. As shaped by the College's mission and precepts, a Colby education is characterized by academic rigor, a strong community, a friendly campus atmosphere, global reach, and active engagement with a diversity of thought and human experiences.

**Dean of the College Mission Statement:** The Dean of the College division creates transformative and integrative learning that develops purposeful, compassionate, and global citizens. We support a holistic and reflective community that acts with integrity and courage to promote justice and equality at Colby and in the world.

**Dean of the College Division and Staff:** The Dean of the College Division oversees student life and learning outside of the classroom, and it comprises the Office of the Dean of Students, the Office of the Dean of Studies, the Office of Campus Life, Counseling Services, DavisConnects, the Office of Diversity, Equity, and Inclusion, the Gender and Sexual Diversity Program, International Student Programs, the Office of Religious and Spiritual Life, Security, the Office of Community Values, Conflict Resolution, and Restorative Practice, and support for accommodations and learning differences. Experienced staff members who are on call at all times advise and support students' experiences related to their academic, social, cultural, and personal life at the College. Staff members help students to shape and maintain positive living and learning communities, opportunities for civic engagement and leadership development, and a rich array of co-curricular experiences.

**Student Support:** College is a time of great personal growth and development, and it can also be a time when students face challenges and uncertainty. Colby staff are always available to support and guide students in tackling challenges. Together, the Dean of the College Office, Dean of Students Office, the Dean of Studies Office (class deans, coordinator of student support services, and learning consultants), the Office of Diversity, Equity, and Inclusion, Health Services, Counseling Services, Campus Life Office, and the College's Religious and Spiritual Life Office provide support and guidance to students and assist students with any problems that may arise during the college years.

**Orientation:** Special attention is given to the task of welcoming and orienting new students into the Colby community. From the time of admission until they arrive on campus, new students are invited to make use of the admitted students' website to get answers to questions they may have. First-year students come to campus a week prior to the start of fall classes and participate in a comprehensive orientation program designed to introduce them to the academic program as well as all aspects of residential, co-curricular, and social life at Colby. As part of orientation, first-year students are required to participate in COOT (Colby Outdoor Orientation Trips). Upperclass COOT leaders and residential community advisors (CAs) serve as peer mentors for new students during orientation and throughout the year.

**Academic Concerns:** Colby has a number of programs designed to help students maximize their academic success. Each student has a faculty advisor and a Class Dean to consult about issues that arise. Usually the first person to consult when a student has academic concerns is

the professor for the course or the student's academic advisor. If a student is uncertain of expectations or is having difficulties in a particular course, it is a good idea to communicate with the professor as soon as possible.

**Academic Advisors:** All incoming students are assigned a first year Academic Advisor who helps students navigate their first year academic experience. Incoming first year students are assigned to faculty advisors through the Office of the Dean of Studies. Advisors and advisees establish contact with one another in early summer to help guide course selection for the fall. Advisors meet with students during the orientation period and assist students during the period when courses may be added or dropped from the students' schedules. Academic Advisors provide guidance to students during course selection for JanPlan and spring and help students as they navigate their first year academic experience. During the second, third, or fourth semester, when students may elect a major, they will move under direct advisorship of a major department or program.

**Class Deans:** The Dean of Studies Office supports and enhances Colby's commitment to first-rate, individual advising of students. In addition to having an academic advisor from the teaching faculty, every Colby student is assigned a class dean to provide advice and support during their time at the College. The class deans are knowledgeable about issues and problems that arise for students and are a good source of information about College resources and policies. They offer general advising as well as referrals to other campus offices. The class deans help students and parent/guardian manage academic and non-academic situations as they arise, consulting extensively with faculty and staff across the College. Students may contact their class dean or Dean of Studies Office at 207-859-4560 or [deanofstudies@colby.edu](mailto:deanofstudies@colby.edu).

**Learning Differences:** Colby offers programs and resources that support a range of learning styles—to make sure every student can maximize their academic potential. Colby provides a range of supports for students with learning differences, including but not limited to additional time on exams, extensions on assignments and other adjustments in academic procedures, in accordance with recommendations of qualified diagnosticians.

Colby also offers learning consultants who can assist students with study habits and other targeted strategies. These specialized, expert coaches are available to any Colby student who wishes additional academic support, coaching or skills building. All students are expected to attempt to complete the foreign language requirement. Students who experience inordinate difficulty in completing this requirement and who have documentation of a learning difference that meets Colby guidelines may petition to modify the foreign language requirement with an approved program of alternative study, which will include three courses reflecting aspects of a single language of culture. Students with questions in this area can contact the associate director of student access and disability support at 207-859-4560 in the Dean of Studies Office located in room 107, Eustis Building.

**Personal Issues:** There are many places students can turn to on campus for advice and support when they are encountering difficulties, whether involving interpersonal relationships, fitting in socially, or worrying about the direction life is taking. The nearest resource is often the residence hall staff. These trained student staff members, community advisors, can provide information about support resources. When students are facing more serious issues, it may be appropriate to seek out more specialized resources. These resources include deans, Counseling and Health Center staff, and Religious and Spiritual Life staff. When problems

arise outside of business hours and on weekends, students can access emergency and support resources through our on-call systems. To access the professional on-call or Colby Emergency Response, call Security at 207-859-5911. To access after-hours Counseling Services, please call 207-859-4490.

**The Residential College Experience:** The residential experience at Colby is designed to extend and integrate intellectual inquiry and discourse into the residences and dining halls. Students are expected to live in College housing and are required to subscribe to an on-campus board plan. Individual residence hall sizes accommodate 30 to 166 students per building. Students from all four class years are housed in each building, with the exception of the Harold and Bibby Alford Residence Complex, which houses only seniors. First-year students are clustered in housing groups within each of the integrated residence halls and are supported by upper-class student hall staff trained to facilitate the first-year transition experience. Students have access to a variety of different housing options within the Colby residential system including but not limited to dialogue housing, substance-free, and quiet living, and are generally assigned by room draw with first priority given to seniors. Each year, a small number of students are permitted to live off campus, based on the off-campus housing policy described in the Residential Life section of this Handbook. More detailed information about residential living at Colby can be found on the Campus Life website.

**Dining Services:** The College offers a board plan of 21 meals per week for all resident students. Meals are served in three separate on-campus dining halls—in Foss Hall, Dana Hall, and Roberts Building, each with a different menu. Students living in the Alford Residence Complex, the Bill & Joan Alford Main Street Commons, and the Mary Low Coop, or students living off campus who do not subscribe to the full meal plan, are entitled to a partial rebate on the comprehensive fee (see Fees and Charges section of the catalogue).

**Cotter Union/Pulver Pavilion:** Cotter Union is located near the center of the campus and serves as the student center and a venue for more formal gatherings including lectures and performances. The Office of Campus Life, the Colby Bookstore, the student mail room and Post Office, the Blue Light Pub, offices of the Student Programming Board, the Pugh Center, and the Page Commons Room are in Cotter Union. Pulver Pavilion features a variety of informal spaces and a snack bar and grill called the Spa.

**Student Organizations and Leadership Development:** The Office of Campus Life is committed to creating opportunities for students to explore, practice, and develop their leadership capabilities. Leadership development occurs through experiences with student organizations and clubs as well as through retreats, trainings, and workshops. Colby has approximately 100 student-led clubs and organizations focused on cultural, athletic, musical, political, publication, religious, service, or other themes.

**The Pugh Center:** The Pugh Center serves the Colby community as an integral resource and catalyst for engagement and advocacy that supports the college's fundamental goal of academic excellence through cultivating an inclusive and equitable campus community. The Pugh Center supports students through the development of co-curricular initiatives, opportunities to apply theoretical frameworks explored in the classroom, and fosters intellectual engagement with critical conversations across campus constituencies.

Our physical space, located within Cotter Union, Colby's Student Union, is dedicated to all students interested in and devoted to engaging with experiences and issues related to race, ethnicity, culture, gender, sexual orientation, socio-economic and first-generation status, ability, religion, and spirituality. Beyond our physical space, we work intentionally to integrate our initiatives throughout the campus community.

**Student Governance:** Students play significant roles in shaping student life through the Student Government Association (SGA), the Student Programming Board (SPB), and the Pugh Community Board (PCB). The president and vice president of the SGA serve as student representatives to the Board of Trustees, and students serve on College committees including Academic Affairs, Administrative, Admissions and Financial Aid, Athletic Advisory, College Affairs, Cultural Events, Financial Priorities, Healthcare Advisory, Independent Study, Information Technology, Library, Multicultural Affairs, Race and Racism, and the Environmental Advisory Group.

**Colby's Religious Holidays Policy:** Colby College is supportive of the religious practices of its students, faculty, and staff. The College is committed to ensuring that all students are able to observe their religious beliefs without academic penalty.

The College will enable any student to make up any course requirements scheduled during a religious holiday that is observed by that student. Students are expected to inform course instructors within two weeks of the beginning of the term of any religious observance that will conflict with coursework. The faculty member will then work with the student to find a reasonable accommodation that will allow the student to complete the academic work. In addition, no student will be required to participate in college events such as athletic commitments, lectures, or concerts on these holidays.

**Security Department:** The Security Department works to provide a safe and secure environment for the Colby community. The department, located in the Roberts Building, is open 24 hours a day, seven days a week. Trained, professional officers patrol campus on foot and in cruisers. Students can seek assistance from Security by visiting the Roberts Building; using one of the Blue emergency phones that are located throughout campus or call by dialing extension 5911 from any campus phone or 207-859-5911 from an off-campus or non-campus phone. The blue emergency phones and the emergency number are restricted to calls of a true emergency nature, such as fire, medical emergency, or suspicious or criminal activity. An officer will be dispatched to the scene to evaluate the situation and take appropriate action.

Emergency phone number on campus	5911
Emergency phone number off campus	207-859-5911
Non-Emergency phone number	207-859-5530
Emergency phone number when not on Colby property	911

The College strongly encourages any individual who observes or who is the victim of any crime or conduct violation to report the matter immediately to Security. The College's crime statistics are available on the Security Department at <https://life.colby.edu/your-safety/campus-safety/>.

For non-emergency or routine business, such as vehicle registration information, lock outs and lost items, call Extension 5530 from any campus phone or 207-859-5530, if calling from an off-campus or non-campus phone.

Colby Security officers conduct vehicle and foot patrols on the Colby campus and are charged with enforcement of College policies. Although Security officers do not have police authority on the Colby campus, the Department maintains a positive working relationship with the Waterville Police Department and other law enforcement agencies throughout the state. Waterville Police routinely notify Colby Security of summonses issued and other concerns about the conduct or safety of Colby students off-campus. Colby Security officers have direct radio contact with emergency services, including police, fire, and ambulance, and these providers will be called to or allowed on campus as needed. Crimes involving violence, major property damage or loss, drug activity, trespass, and/or potentially illegal activity by non-Colby students on campus are immediately reported to the Waterville Police. Any violations of College policies, whether or not they require the assistance of the Waterville Police, are routinely referred to the Associate Director of the Office of Community Values, Conflict Resolution, and Restorative Practice (OCVCRRP) for follow-up and any necessary action.

In order to assist the Waterville Police in the investigation of specific complaints of criminal activity, Colby permits the police to inspect and copy Colby Security Incident Reports upon receipt of a written request containing a description, by time and subject matter, of the information necessary to assist the police in conducting a criminal investigation.

**Transport:** Colby provides shuttle services available to faculty, staff and students from campus to Alford Commons and Lockwood throughout the academic year. The shuttle operates 18-20 hours a day, seven days a week. Three afternoons a week a shuttle is provided to Walmart and other shopping locations. Full details can be found on the Shuttle tab of ColbyNow or the Security transportation page.

The Colby Jitney is a free shuttle service available to students. It takes students from Colby to Waterville locations that the Colby Shuttle does not provide service to, on a first-come, first serve basis. It generally operates from 2:00p-10:00p, seven days a week depending upon student driver's availability. Pick up is outside of the Pugh Center. Call the Security Office at 207-859-5530 to see if the Jitney is running.

The Security Department provides ride and escort services upon request.

**Student Vehicles and Parking:** All vehicles parking on Colby College property must have a parking decal or temporary permit issued by the Department of Security. Security is located in Room 128, Roberts Building and at 207-859-5530. For up to date parking information and procedures, students should review the [College's Parking Information webpage](#).

Effective academic year 2018-19, a \$100 annual parking permit fee was assessed on the Class of 2022 and each subsequent class will be charged the fee. This website will soon be updated to include information outlining the registration process. There is a limit of one sticker per student. If you buy a new vehicle or have your sticker removed, be sure to contact Security for a new one. NOTE: Stickers issued after August 1, 2018 must be placed on the left side, drivers' side, of the rear bumper in a manner that the sticker is clearly visible from the rear.

To obtain a parking permit click on this link, [www.colby.edu/securitydept/parking-permit-registration/](http://www.colby.edu/securitydept/parking-permit-registration/), and follow the instructions. When you arrive at Colby you can obtain your parking permit sticker at the Security Office located at Room 128, Roberts Building, 207-

859-5530. Any vehicle parked on campus without a permit is subject to a ticket and/or being towed. Students are responsible for complying with [Security's Parking Regulations](#). Students who repeatedly violate parking regulations may be referred to the Associate Director of the OCVCRP for further action.

**Bill & Joan Alford Main Street Commons:** Because the downtown parking lot for the Commons is small, each apartment is only issued one parking space. To help manage the parking lot, each apartment will be issued a Colby parking hanger that must be hung from the rearview mirror of the vehicle at all times it is in the parking lot. Campus Life will manage the Colby parking hangers. Vehicles that do not display a Colby parking hanger will be subject to a Colby parking ticket and/or towed at the owner's expense. If you are going to park your vehicle on campus, you must have a parking permit issued by Security. The Colby parking hanger only grants authority to park in the Appleton Street parking lot.

**Colby Health Services:** Colby's Garrison-Foster Health Center, in the Garrison-Foster Building, is the only AAAHC-accredited college health center in Maine. Its mission is to enhance the academic environment at Colby by providing quality health care, health education, and preventive services to students in a caring, cost-effective, and convenient manner. The health center provides a bridge for the health care needs of our students as they transition away from home, often for the first time. The health center emphasizes preventive and outpatient care. The health center is available to all students at no cost for routine office visits. The health center is staffed by a dedicated group of medical providers with experience in caring for college students. They provide general medical care, women's health services, drug and alcohol misuse services, and travel medicine services. A registered dietician and a board-certified psychiatrist are also available for consultation. Students who need emergency care or more specialized attention are sent to Maine General Medical Center, a major regional hospital located less than a mile from Colby. Appointments with medical practitioners are available weekdays during business hours for students. Students can see a nurse if they are sick during weekends or during regular hours to have injuries evaluated or arrange immunizations for travel abroad.

**Colby Emergency Response (CER):** CER is a group of students trained and licensed as emergency medical technicians (EMTs) who respond to health emergencies on campus. This network supplements the care provided by the health center staff to ensure that all accident/illness victims on campus are assisted swiftly and skillfully.

**Colby Counseling Services:** The mission of Colby Counseling Services is to foster the well-being of all students within a respectful and confidential environment through providing a range of psychological counseling, consultation and outreach services. Our diverse team of psychologists, professional counselors and social workers collectively have over 40 years of experience working collaboratively with students. We work with students individually, in support groups, through teaching practices such as meditation, and in a variety of other capacities. Students also have access to our counselor on call for mental health emergencies when the office is closed.

The Counseling Services office is located in a comfortable and private setting on the second floor of Garrison-Foster and all of our services are free of charge. We also want you to know that we take your confidentiality very seriously and your privacy is protected in the same manner it would be if you were visiting a counselor as an adult in your home community.

Appointments can be made by calling our main number at 207-859-4490, or by stopping in Room 205, Garrison-Foster Building, during regular business hours. You can find more information at <https://life.colby.edu/your-health/counseling-services/>.

In a mental health emergency, students can reach the on-call counselor 24/7 by calling Counseling Services at 207-859-4490 and pressing "0". For off-campus help you can reach out to Crisis and Counseling Centers Crisis Line at 1-888-568-1112. For suicide prevention details please visit our website at <https://life.colby.edu/your-health/counseling-services/suicide-prevention/> or call Campus Security for assistance.

Local mental health referrals:

Health Psych Maine: 207-872-5800

Rebecca Lovitz, LCSW: 207-228-2741

Todd MacFarlane, LCPC: 207-215-6442

MaineGeneral Mental Health and Substance Abuse (including medication): 877-777-9393

Finally, no matter how well you attend to your health, everybody experiences some level of emotional challenge in college...it's totally normal! So, if you notice that those challenges are interfering in the classroom, in relationships or in other areas of your life, don't hesitate to reach out.

**Health Records:** No student will be allowed to register, attend classes, or participate in any campus activities, including COOT (Colby Outdoor Orientation Trips), until health and immunization records have been received and approved by the College's health center.

Documentation of a physical examination within the past 12 months is required. For students participating in varsity athletics, the NCAA requires that the physical examination be in the past six months. Proof of the following immunizations is also required: COVID-19, tetanus and diphtheria (primary series plus booster within 10 years), meningitis vaccine (one dose after the age of 16), and two doses of measles, mumps, and rubella vaccines given after the first birthday. Not required but recommended are the hepatitis B immunization series and a chickenpox vaccine if there is no history of this disease. Students are encouraged to discuss these recommended vaccines with their health care provider during the summer.

Arrangements can be made through the health center to receive these non-required vaccines. Maine state law requires that immunization records be complete, showing month, day, and year that immunizations were given, and that they include the signature and address of the health care provider; a valid copy of school immunization records or hospital/clinic records also may be acceptable. Details can be found in the immunization form mailed to all students or on the health center website. If proof of vaccinations cannot be obtained, vaccines should be administered again by the student's health care provider before the student travels to Colby. It is expected that physical exams and immunization forms will be completed by July 15.

**Leaves of Absence/Withdrawal from the College:** For the full policy on leaves and withdrawals, please check the Dean of Students website or contact [dos@colby.edu](mailto:dos@colby.edu).

**Medical Leaves:** For the full policy on Medical Leave, please check the Dean of Students website or contact [dos@colby.edu](mailto:dos@colby.edu).

**Student Financial Services:** Student Financial Services is located on the first floor of the Garrison-Foster Building 207-859-4132; [sfs@colby.edu](mailto:sfs@colby.edu). This is the office to contact with questions about financial aid, campus jobs, College bills and fines, and student and parent loans. Information is also available at [colby.edu/sfs](http://colby.edu/sfs) and in the “Financing a Colby Education” brochure available in the SFS office. Colby offers financial aid to admitted students who demonstrate financial eligibility and are enrolled full-time. More than half of Colby students receive some form of financial assistance, including grants, campus employment or outside scholarships.

**Student Employment Opportunities:** All students, regardless of financial aid eligibility, may hold part-time campus jobs, and a large number of Colby students hold campus jobs each year. There are positions available in virtually every academic and administrative department, including dining services, physical plant and the Library. There is no off-campus work study. Employment assistance and a list of campus employers are available in the Student Employment Office, which is part of Student Financial Services (SFS) on the first floor of the Garrison-Foster Building. More information can be found on the Student Employment Office [colby.edu/sfs](http://colby.edu/sfs).

Students generally may not work more than 12 hours per week, unless a specific exception is approved by SFS and the position supervisor. Financial aid recipients may earn more than the amount of work in their aid package, but are encouraged to discuss their particular situation with a member of the SFS staff prior to exceeding the aid package amount. Pay rates vary depending on the type of position and the level of knowledge and responsibility required. Students are required to keep accurate track of their time and have their time verified by their supervisor before it is submitted to the Payroll Office. Students are paid every other week; students may either pick up their paycheck or use direct deposit. In addition to academic year positions, there are also a variety of research assistance and administrative positions available during the summer, and housing is available during the term of employment.

The Office of Human Resources coordinates summer employment and the Office of Special Programs coordinates summer housing. In general, seniors are not eligible to work on campus after graduation and any exceptions must be approved by the Class Dean. Students should be aware that violations of College policy may impact their employment opportunities on campus. Students are “at will” employees, and the College reserves the right to terminate the employment of students for any reason, including disciplinary reasons.

**ColbyCard (Identification Card) and Other I.D.s:** The ColbyCard is the official Colby identification card. The ColbyCard features a digitized photo, proximity core for door access to authorized areas, and a magnetic stripe for meal plan access and convenience purchases. Additional information about the ColbyCard can be found on the ColbyCard website [colby.edu/financialservices/colbycard-office](http://colby.edu/financialservices/colbycard-office). All residence halls are locked 24 hours a day. The ColbyCard allows access from 7 a.m. to 1 a.m. After 1 a.m., student access is limited to the student’s residence hall, only.

The Alford Apartment Complex is only accessible to seniors. The ColbyCard also provides access to the lobby area of the Bill & Joan Alford Main Street Commons. Access to the residential floors of the Commons is limited 24 hours a day to building residents only, through use of the ColbyCard and a unique PIN number specific to each resident. ColbyCards are

issued when students arrive on campus. If a card is damaged, lost or stolen, it should be reported immediately to the ColbyCard office on the first floor of Garrison-Foster Building 207-859-4130. The card will be deactivated and a replacement card issued (for a fee). If a card is lost outside of business hours, students should contact the Security Department 207-859-5911. (See also the General College Policies section for further information on requirements concerning the ColbyCard.)

**Student Email Accounts:** The College uses Colby email and student mailboxes regularly to communicate with students. Students are required to regularly check their email account, and to reply to any administrator or faculty requests promptly.

**Student Mail Services:** Students are required to regularly check their mailboxes as some College business is done by mail. The Colby Student Post Office is located on the first floor of Cotter Union. As a contract station with the United States Postal Service, the post office provides on-campus and off-campus mailing services.

The Mail Service Center is located on the ground floor of the Colby Bookstore and provides full mail and package delivery/shipping services for USPS, FedEx, UPS and other carriers. During peak periods, package deliveries may be designated for other locations on campus. Students will receive an email notification when a package has been received, specifying the location for pickup. We strongly encourage students to pick up packages as soon as possible. Operating hours are posted online.

**ColbyNow:** ColbyNow provides a quick and easy way to keep up on College news and conversation (including the online forum, Digest of Civil Discourse). Students can sign-up through [my.colby.edu/ics/](http://my.colby.edu/ics/). Students are encouraged to review their messaging and how it reflects Colby's values, the Colby Affirmation and its impact on members of the College community before posting on Civil Discourse.

**Student Records, Including Disciplinary Records:** The College maintains a wide variety of records on students and complies with the federal Family Educational Rights and Privacy Act (FERPA). Students (and in some instances their parent/guardian) have certain rights under FERPA, which are described in more detail in the appendix. Students should be aware that unless otherwise required by law, the College maintains records of formal disciplinary actions (including academic dishonesty) for a period of six years after graduation or date of last attendance. Disciplinary actions by the College are not noted on student transcripts, but are contained in records maintained by the Dean of Students Office. Students should be aware that certain off-campus programs, graduate schools, employers and other institutions may require the disclosure of disciplinary actions. The College will only disclose disciplinary information upon specific, written consent signed by the student, except as specified in the Handbook. For purposes of this policy, a consent form that does not specifically address the release of disciplinary information does not constitute consent. Students with questions about their disciplinary records should contact the Office of the Associate Director of the OCVCRP at [conduct@colby.edu](mailto:conduct@colby.edu) or 1-207-859-4256.

# ACADEMIC INTEGRITY

[colby.edu/catalogue](http://colby.edu/catalogue)  
[colby.edu/academicintegrity](http://colby.edu/academicintegrity)

*Honesty, integrity and personal responsibility are cornerstones of a Colby education and provide the foundation for scholarly inquiry, intellectual discourse and an open and welcoming campus community. These values are articulated in the Colby Affirmation and are central to the academic endeavor. Colby students are expected to aspire to the highest standards of integrity; to understand what is expected in each course or program; submit their best work; accurately represent sources; give credit to anyone whose work is relied upon; and to seek help when struggling with an assignment rather than resorting to unethical means. Course assignments and exams are given to facilitate and evaluate learning required to earn a Colby degree. These are compromised when academic dishonesty occurs. Students are encouraged to contribute to a culture of academic integrity in their interactions with classmates, faculty and College staff. Ethical behavior is highly valued and expected not only at Colby, but also by future employers.*

To facilitate ethical college practices, Colby students need to actively learn effective college study and time-management habits. Frequently, study habits used successfully in high school need to be expanded and refined in college. Well in advance of an exam or major assignment, pursue discussions of general, course, and/or discipline-specific study strategies with appropriate members of the Colby community (e.g., from the list of resource individuals below). Such study strategies include efficient in-depth reading, actively taking notes, appropriately spreading out study sessions for exams, breaking major assignments into manageable smaller pieces, etc. Using a planner/calendar system to document assignment due dates and test dates; to plan daily activities; and to effectively divide up larger assignments and exam studying sessions is prudent. Reflecting on experiences for each course after every major assignment or exam and at the end of the semester helps to determine what is working well and should be continued, and what needs to be modified to improve. Some college students find a few weeks into a semester that they have inadvertently overloaded themselves with academic, extracurricular, and other obligations. At that point, it is acceptable to seek help in prioritizing and deciding how to best deal with the situation, which may be best handled by dropping one or more nonessential activities.

The Colby experience is primarily about learning and growing, both personally and academically. Only students that have the potential to succeed at Colby are accepted into Colby. However, no student is expected to know everything. Thus all students that submit their own work will make mistakes and misassumptions, which provide some of the best (and most memorable) learning opportunities. Exploration (not avoidance) with a goal of competence (not perfection) is an appropriate strategy to move forward educationally. Strive to understand the value of the work assigned in each class (what is to be learned from the exercise or why the professor bothered to assign this work), develop a growth mindset, and learn what constitutes ethical behavior in college and in your chosen discipline. Be aware that each Colby course/program has its own policies and accepted practices as does most every company/institution and division outside of Colby.

Be sure you clearly understand what is or is not acceptable for each course and don't hesitate to ask the instructor for clarifications to do so. For example, is collaboration allowed on an assignment? If so, with whom can you collaborate, and to what extent are these collaborations acceptable? Are you expected to acknowledge these collaborations? Can electronic resources be used on an assignment? If so, what are the citation requirements and limitations? Never assume that the accepted practices

are the same between venues, such as between high school and Colby, or between Colby classes, even those taught by the same instructor. For example, while using and reposting images and text passages without acknowledgement is accepted and even encouraged in social media, the same behavior is almost always considered to be plagiarism in a college course. See also the section below entitled Further Academic Integrity Considerations for Students.

There are ample resource individuals available at Colby who are willing and able to help students with various aspects of their education to ensure the best experience possible. These include course professors (for instance, in office hours or an appointment set up by email), an assigned academic advisor, an assigned advising dean, a course teaching assistant or laboratory instructor, a librarian, a tutor, or even a coach, team captain, faculty liaison, learning consultant, counselor in the Health Center or community advisor, when applicable. If you feel desperate and are considering making a poor choice that is academically dishonest, first seek help from an individual that can help you consider other ethical options (e.g. one of the resource individuals listed above that you feel comfortable consulting). Also realize that the grade penalty in a course for late or substandard work done honestly will be much less than the grade penalty incurred by a sanction for academic dishonesty in that course.

Failure to meet standards of academic integrity at Colby may result in a report of either academic dishonesty or academic negligence. The reporting professor decides whether a particular situation warrants a report of academic dishonesty or academic negligence based on the following guidelines.

Academic dishonesty includes, but is not limited to:

- Violating clearly stated rules for taking an exam, completing homework or working on any other academic assignment (such rules may be found in the course syllabus or given in the exam or assignment directions);
- Plagiarism (including material or ideas from sources without a citation and/or quotation marks around any borrowed words);
- Claiming another's work or a modification of another's work as one's own;
- Buying or attempting to buy papers or projects for a course;
- Fabricating information or citations;
- Misrepresentations to a faculty member within the context of a course, an academic assignment or an academic record;
- Submitting the same work (such as an essay) in more than one course without the permission of the respective faculty members;
- Knowingly assisting others in acts of academic dishonesty.

Academic dishonesty is a serious offense. Sanctions for academic dishonesty are assigned by an Academic Review Board and may include no credit for the assignment, failure in the course, or suspension or expulsion from the College. As with all College disciplinary findings, a finding of academic dishonesty is placed in the student's file (though not on the transcript or academic record) until six years after graduation or leaving the College. Many applications to educational institutions, such as to graduate or professional schools, request that discipline or academic dishonesty findings be disclosed and addressed. If addressed appropriately (responsibility for the action taken, combined with an authentic statement of the lessons learned), such findings do not usually preclude acceptance into those institutions unless a finding is quite egregious or there are multiple findings.

Academic negligence consists of a minor, usually unintentional lapse of ethical academic behavior that the student should have known. It may result from misunderstanding expectations; inadequate pre-college preparation; or improper citation practices due to cultural differences. Regardless of

intent, academic negligence is a serious matter that identifies a need for further education, for instance on academic honesty and dishonesty or the U.S. standards for use of sources in academic writing. A finding of academic negligence, unlike a finding of academic dishonesty, is not a disciplinary finding of the College and is typically handled solely by the course instructor.

A student should not receive more than one report of academic negligence while at Colby. Multiple reports of academic negligence are generally treated as academic dishonesty, especially when similar in nature.

## **Academic Integrity Process**

*What will happen when a faculty member reports academic negligence?*

Upon determining that a student has engaged in academic negligence, faculty are required to submit a report and select the appropriate sanction(s). Reports of academic negligence are sent automatically to the student, the advising dean and the academic advisor(s). Students who are found responsible for academic negligence are required to have an educational conversation with the instructor about the transgression and/or to successfully complete an instructive module on plagiarism (and provide proof of completion to the instructor). Students are required to complete the sanctions well before the deadline for grade submission for the semester in which the negligence occurred or receive an administrative incomplete in the course.

*What will happen when a faculty member reports academic dishonesty?*

1. The Associate Director of the Office of Community Values, Conflict Resolution, and Restorative Practice (Associate Director of OCVCRRP) and the Academic Integrity Coordinator will be notified and they will contact the reporting faculty member and the student in question (in that order) to learn more details.

2. An Academic Review Board will be formed to handle the case. An Academic Review Board consists of the following people: (1) The Academic Integrity Coordinator (currently Rebecca Conry, associate professor of chemistry). The Academic Integrity Coordinator chairs the board, unless this is the person bringing the charge of academic dishonesty; in which case another faculty member from the Academic Honesty Committee becomes acting Academic Integrity Coordinator. (2) Another faculty member, from a pool of three faculty members on the Academic Honesty Committee. (3) Two students, from a pool of seven students appointed by the Dean of Students. (4) The Associate Director of OCVCRRP (a non-voting member of the board). The Associate Director also provides guidance to the student through the process and is responsible for record-keeping.

If the student accepts responsibility for the violation, the Academic Review Board will determine and assign a sanction in keeping with established norms for similar cases. In general, sanctions range from failure on an assignment, to failure in the course, to suspension or expulsion. Cheating on a low-stakes assignment or a small amount of plagiarism will generally result in receiving no credit for the assignment plus an additional grade reduction in the course. Cheating on a major project or exam will generally result in automatically failing the course. Students found responsible for academic dishonesty a second time are almost always suspended, and a third finding of academic dishonesty typically results in expulsion. Lying to the Academic Review Board investigating a case of dishonesty will generally result in harsher penalties. Often sanctions will include an additional educational or

restorative justice component. These guidelines are intended to give an idea of the range and type of sanctions; the sanctions applied in any particular case depend heavily on the details of that case.

If the student does not accept responsibility for the alleged violation, members of the Academic Review Board will investigate the case by talking with all concerned parties, interviewing witnesses, and/or examining relevant evidence. The process may involve multiple conversations with any and all of the concerned parties. The Academic Review Board may also, in its discretion, consult with other officials or specialists as part of this investigation. The committee will work deliberately and carefully, but as efficiently as possible, since it is in everyone's interests for cases to be wrapped up in a timely manner. The Academic Review Board does not hold live hearings; students are asked to submit written responses to reports of academic dishonesty and reporting instructors provide electronic evidence.

If the Academic Review Board finds a student not responsible for the alleged violation, no sanction will be imposed. The standard of proof for determining whether a violation has occurred is a preponderance of the evidence; that is, was it more likely than not that the violation occurred? If the Academic Review Board finds that the student is responsible for the violation, then the Academic Review Board will assign a sanction/s.

There is no right of appeal from a decision of the Academic Review Board. However, a student or faculty member may seek reconsideration of a decision by submitting a written request (preferably a letter) to the Academic Integrity Coordinator (or acting Academic Integrity Coordinator for the case) within 10 days of that student's receipt of the written finding. A reconsideration may only be sought for one of the following reasons: (i) a significant procedural error resulting in a denial of rights under this policy or impacting the fairness of the board's investigation/proceedings; (ii) the existence of new evidence, not available and not known during the proceedings, which would have significant bearing on the decision; or (iii) aggravating or mitigating circumstances, the existence of which the student or faculty member seeking reconsideration must prove, that would definitely affect the severity of a sanction and that were not previously presented to or considered by the board. The written request for reconsideration should contain all information, evidence and explanations to support the request. A reconsideration may not be sought purely because of dissatisfaction with the decision or sanctions. The Academic Integrity Coordinator (or acting Academic Integrity Coordinator for the case) will review the request, and may consult with the board and other officials or experts to determine the merit of the request. The coordinator will determine, typically within fifteen days of receipt of the request, whether to grant or deny the request. If the request is granted, the Academic Review Board will review any new evidence/ information, and/or address the claimed error or violation and determine whether the finding and/or sanction would or would not change and why. During the reconsideration process, sanctions will remain in effect unless the Academic Integrity Coordinator decides otherwise.

### **Further Academic Integrity Considerations for Students**

*For all the classwork you do it is imperative that you understand the guidelines and rules governing its completion. The list below is intended to help you determine whether or not you understand the instructor's expectations for an assignment/assessment, which are typically discussed in class, are found in the course syllabus and/or in the assignment/assessment instructions.*

*If any aspect isn't clearly or fully addressed by the course instructor, reach out for clarification before you complete the assignment. If the syllabus/instructions focus on what is allowed, assume everything else is not allowed for that work unless you have specifically cleared it in advance with the*

*instructor (preferably in writing). Assume there are different expectations for each of your courses and for every assignment.*

*Be aware that you are responsible for understanding and following assignment/assessment requirements to ensure what you turn in is your own work. Failing to do so will likely compromise your learning in the class and may be an academic integrity violation, which can come with serious consequences, as discussed above.*

**For each assignment/assessment you should read its specific instructions AND read/reread relevant guidelines in the course syllabus to address at least these questions:**

1. *What reference materials or other sources of information can be consulted to complete the assignment or exam?*

Examples: anything you can find; your class notes; class notes from other students; the textbook; other books; the class website; all internet sites or only selected types; etc.

2. *What types of limited-scope communications with others are permissible while completing the assignment or test?*

Examples: the instructor and/or other students in the class can be asked to clarify an aspect; any other student, such as a tutor or student that has taken the class previously, can be asked to check an idea or give general guidance; a Writing Center tutor can help with formatting and/or language; a librarian can help you find appropriate resources; etc.

3. *What types of collaborations (extensive communications with one or more individuals that cover a significant portion of the assignment content) are permitted while completing the assignment or test?*

Examples: none, all work is to be done individually; potential solutions may be discussed verbally with others, but each student individually composes unique written answers that are turned in; students can work together and submit identical copies of work; work by a student in the course a previous semester can be solicited and used to check work; etc.

4. *If collaborations or gathering information/ideas from other places and/or people are allowed, how is that information acceptably incorporated and are those sources/collaborations credited (if so, is there a required citation format)?*

Examples: everything in your own words with MLA-formatted citations to all sources of information/ideas with (or except) citations to class notes, the textbook, and/or communications from the instructor; only directly copied passages need to be cited; other information and/or ideas may be used any way and without citation; collaborations are to be disclosed by giving names with (or without) extent of collaboration; etc.

5. *What kinds of supportive feedback will be available or is available from the instructor to use for the assignment or exam?*

Examples: comments on a draft that should be addressed in the final submitted work; comments or corrections on similar previous assignments; a sample test on the same material with answers to be able to generate one's own feedback; etc.

# ALCOHOL AND DRUG STATEMENT

The Colby community, including students, faculty, staff, trustees, overseers, and alumni, is committed to maintaining an academic and residential environment that supports personal growth and learning; assures individual rights and the well-being and dignity of others; promotes health, understanding, and respect; and fosters the opportunity to make lasting friendships. As part of such a healthy and respectful community, Colby, in consultation with those in our community, has developed a set of policies and rules pertaining to alcohol and drugs. These policies recognize the College has an obligation to comply with applicable federal and state laws and regulations concerning the use of alcohol and drugs. Beyond that obligation, these policies outline behaviors related to alcohol and drugs that Colby consider to be against the mission and values of the College. Alcohol and drug violations may result in outcomes or sanctions up to and including expulsion, as well as possible referral for substance use counseling and/or other educational/developmental programs or meetings, or Restorative Practices processes. It is important that you read this statement and understand the prohibited behaviors listed in the Student Code of Conduct in their entirety to fully understand how they affect you and your place in our community.

**Getting Help:** Assistance is available at the Garrison-Foster Health Center. The College has designated Katie Barlow, Associate Director of Counseling Services ([ksbarlow@colby.edu](mailto:ksbarlow@colby.edu)) to assist students in dealing with substance use issues. Katie can be reached at 207-859-4460. In addition, students may obtain more information about substance use issues from the federal government's Substance Abuse and Mental Health Services Administration website and 24-hour help line: <https://www.samhsa.gov>; 1-800-662-4357.

**Responsible Use:** Students who choose to drink alcohol are expected to do so in a safe, responsible, and legal manner. Intoxication will never be accepted as a defense or an excuse for conduct violations of the Student Code of Conduct.

Drinking games and "themed" parties that have the effect of encouraging excessive drinking and intoxication, and pressure players or attendees to drink over safe limits are considered forms of irresponsible drinking.

Drinking games and "themed" parties may also constitute prohibited hazing, depending on the circumstances. Hazing is not only prohibited by College policy, but is illegal in Maine.

**Definitions of Possession and Furnishing of Drugs, Paraphernalia, and Alcohol:** For the purposes of this policy, "possessing" includes merely allowing drugs, paraphernalia or alcohol to be kept in your room, car, locker, or other location under your control, even if the drugs, paraphernalia or alcohol is owned by someone else.

For the purposes of this policy, "furnishing" includes providing, sharing and giving away drugs, paraphernalia or alcohol.

## Sanctions:

The following sanctions for **beer and wine** were developed by the College Affairs Committee, the Student Government Association, and the Dean of Students Office.

Offense/Action	Under 21	21+
Possession/ Consumption	<p><b>1st Offense:</b> Disciplinary Warning</p> <p><b>2nd Offense:</b> Disciplinary Warning and/or Fixed-Term Probation</p> <p><b>3rd Offense:</b> Permanent Probation</p> <p><b>4th Offense:</b> Suspension</p>	Not Applicable
Furnishing/ Providing Alcohol to Minors On or Off Campus	<p><b>1st Offense:</b> Disciplinary Warning and/or Fixed-Term Probation</p> <p><b>2nd Offense:</b> Fixed-Term or Permanent Probation</p> <p><b>3rd Offense:</b> Suspension</p>	<p><b>1st Offense:</b> Disciplinary Warning and/or Fixed-Term Probation</p> <p><b>2nd Offense:</b> Fixed-Term or Permanent Probation</p> <p><b>3rd Offense:</b> Suspension</p>
Providing Location for Minors to Consume	<p><b>1st Offense:</b> Disciplinary Warning</p> <p><b>2nd Offense:</b> Disciplinary Warning and/or Fixed-Term Probation</p> <p><b>3rd Offense:</b> Permanent Probation</p> <p><b>4th Offense:</b> Suspension</p>	<p><b>1st Offense:</b> Disciplinary Warning</p> <p><b>2nd Offense:</b> Disciplinary Warning and/or Fixed-Term Probation</p> <p><b>3rd Offense:</b> Permanent Probation</p> <p><b>4th Offense:</b> Suspension</p>

- All disciplinary sanctions are considered on a case-by-case basis and relevant mitigating or aggravating factors shall be considered in the determination of sanctions. The sanctions specified above are the customary sanctions which apply to such violations. They apply only to beer and wine violations. Concurrent policy violations may result in additional sanctions. A student on hard alcohol probation may be sanctioned as if they have committed a second, third, or fourth beer and wine violation, depending on the total number of alcohol violations by that student. A student with two or more beer and wine violations (or who also has a hard alcohol violation or other alcohol-

associated violations of the Student Code of Conduct) will be required to meet with the College's substance use intervention and health promotion coordinator.

The following sanctions for **hard alcohol** were developed by the College Affairs Committee, the Student Government Association, and the Dean of Students Office.

Offense/Action	Under 21	21+
Possession/ Consumption	<p><b>1st Offense:</b> Permanent Hard Alcohol Probation</p> <p><b>2nd Offense:</b> Suspension</p> <p><b>3rd Offense:</b> Suspension or Expulsion</p>	<p><b>1st Offense:</b> Fixed Period or Permanent Hard Alcohol Probation</p> <p><b>2nd Offense:</b> Permanent Hard Alcohol Probation and/or Suspension</p> <p><b>3rd Offense:</b> Suspension</p>
Furnishing/ Providing On or Off Campus	<p><b>1st Offense:</b> Permanent Hard Alcohol Probation and/or or Suspension</p> <p><b>2nd Offense:</b> Suspension or Expulsion</p>	<p><b>1st Offense:</b> Probation and/or Suspension</p> <p><b>2nd Offense:</b> Suspension or Expulsion</p>

*\* All disciplinary sanctions are considered on a case-by-case basis and relevant mitigating or aggravating factors shall be considered in the determination of sanctions. The sanctions specified above are the customary sanctions which apply to such violations. They apply only to hard alcohol violations. Concurrent policy violations may result in additional sanctions. A student on hard alcohol probation may be sanctioned as if they have committed a second, third, or fourth beer and wine violation, depending on the total number of alcohol violations by that student.*

## Medical Amnesty Policy

**Policy Purpose:** A Medical Amnesty Policy fosters responsible decision making, reduces barriers to calling for help, and encourages students to take active steps in maintaining the health and safety of the community in a situation involving an alcohol and/or drug related medical emergency. Colby encourages all students and hosting organizations\* to call for help as quickly as possible when medical attention is necessary. Medical Amnesty only applies to alcohol and drugs use policy violations and sanctions under the Student Code of Conduct.

**Policy Application:** In a situation where students or members of an organization seek medical attention for an alcohol or drug related medical emergency, Colby will treat the intoxicated students' use of alcohol or drugs as a health and safety matter, not a disciplinary incident. Students who called for help and students who supported calling for help are also eligible for Medical Amnesty under this policy. Amnesty does not necessarily apply to everyone involved in a situation or attending an event. Any student involved in the situation for whom there is some evidence of a violation of the Student Code of Conduct will be required to meet with the Associate Director of OCVCRRP to discuss the incident. Students will be informed at the meeting whether they are eligible for amnesty. If the student does not qualify for amnesty, the alleged violations will be addressed through a Resolution Process.

**Referrals and Notice:** When the student who required medical attention is allowed amnesty from disciplinary action for an alcohol or drug violation, they will be referred to Counseling Services

for a consultation, which is a confidential discussion of the incident and its contributing factors. This referral is a supportive measure not a disciplinary action. There will be no disciplinary findings for the alcohol or drug use. Failure to attend the consultation meeting may result in an alleged violation of the Student Code of Conduct.

In an effort to provide supportive follow up care, the Associate Director of OCVCRP will also notify the Class Dean of the student who needed medical attention and, if applicable, the coach of the student who needed medical attention if they are a student athlete.

#### **Policy Limitations:**

- This policy only applies to students in need of medical attention and the students who actively participated or supported in calling for help.
- Medical Amnesty may be offered by the Associate Director of OCVCRP for first time violations of the alcohol and substance use policy.
  - The decision regarding whether to apply Medical Amnesty for first time violations is made by the Associate Director of OCVCRP.
  - After receiving Medical Amnesty one time, eligibility for future Medical Amnesty for additional alcohol and substance use policy violations is at the discretion of the Dean of Students in consultation with the Associate Director of OCVCRP.
- This policy only applies to amnesty for alcohol and drugs use policy violations and sanctions under the Student Code of Conduct.
  - If other Code or Colby policy violations, including, but not limited to: Title IX, assault/other physical violence, property damage, harassment, or hazing, occur as part of an incident requiring medical attention, Colby will likely take disciplinary action and apply sanctions.
  - Calling for medical assistance will be viewed as a mitigating factor in determining sanctions for other Code and College policy violations.
  - Colby organizations may have their own rules and consequences that apply to circumstances involving alcohol or other drugs violations. This policy does not limit teams or organizations from applying those rules.

## **Health Risks Associated with Alcohol and Drug Misuse**

Alcohol and drug misuse is a national health concern. Alcohol is a chemical. So are drugs. Any chemical is potentially harmful to someone. Some of the health risks associated with alcohol and drugs are listed on the pages that follow. For additional information about health risks associated with substance abuse, a listing of risks is provided below.

### **Alcohol**

- Slowing down of brain function, judgment, alertness, coordination and reflexes
- Attitude and/or behavioral changes such as uncharacteristic hostility or increased risk taking (such as reckless driving)
- When taken with other drugs alcohol can intensify the drug's effects, alter the desired effect, cause nausea, sweating, severe headaches, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Physical problems such as cirrhosis of the liver
- Birth defects and mental retardation in user's children
- Loss of control over decision to use

## **Cocaine**

- Destruction of nasal tissues
- Kidney damage
- Stroke
- Diseases of the lungs, heart and blood vessels
- Cardiac arrhythmias, convulsions, seizures, suppression of respiration, sudden death
- Intense anger, restlessness, paranoia, fear
- Hear and/or see imaginary things
- Malnutrition
- Loss of control over decision to use

## **Heroin**

- Loss of appetite
- Loss of control over decision to use and severe withdrawal symptoms
- Drowsiness, clouding of mental processes, apathy,
- slowing of reflexes and physical activity
- Infection, hepatitis, or HIV
- Death from overdose

## **LSD**

- Frightening hallucinations
- More serious problems can be triggered in a person who has a history of mental or emotional instability
- Distortions of reality such as feeling that the unusual and sometimes frightening effects of the drug will last forever
- Recurrence of effects (flashbacks) days or weeks later even without further use of LSD

## **Marijuana**

- Elevated blood pressure, coughing, dryness of the mouth and throat, decrease in body temperature, sudden appetite, swollen red eyes
- Panic reaction, paranoia, distortions of time, reality, and perception, often impairing short-term memory
- Loss of control over decision to use
- Dysfunctions related to thinking, learning, and recall
- Impairment of ability to drive and do other things that require physical and intellectual capabilities
- Irritates lungs, aggravates asthma, bronchitis, and emphysema
- Listlessness, tiredness, inattention, carelessness about personal grooming, withdrawal, and apathy

## **Steroids**

- Liver disease
- Cancer
- Growth problems
- Testicular atrophy
- Bone fusions
- Acne
- Psychological problems
- Rage and uncontrolled anger

- Breast reduction or enlargement
- Failure of secondary sex characteristics
- Sexual dysfunctions, sterility (reversible), impotence
- Fetal damage

## Legal Implications

While the College seeks to address violations of the community values in an educational, developmental and restorative manner, students who violate serious drug and alcohol laws may be referred to law enforcement authorities and risk significant criminal and civil penalties.

Students attending Colby on visas may jeopardize their status for drug offenses.

Students who are convicted of drug offenses may lose eligibility for federal financial aid.

**Driving Under the Influence:** Maine has very strict laws about operating under the influence (OUI) (see Appendix). Colby encourages students to take responsibility for themselves and fellow students and not to allow any student to drive after they have been drinking or using any mind-altering substances. Security officers will do everything possible, short of physical restraint, to prevent a person under the influence from driving. If all efforts fail and the person is determined to drive, local law enforcement will be notified so an arrest can be made.

Students arrested for an OUI during the academic year, or while working at Colby during the summer months, regardless of the location of the arrest, face outcomes or sanctions that include possible suspension from the College for a period of time (depending on the circumstances, disciplinary history, and the timing of the arrest during the year); an alcohol-education program and/or substance use counseling; and parent/guardian notification.

Students should be aware that it is illegal to have an open container of alcohol in a vehicle. It is also illegal for minors under 21 to transport alcohol in a vehicle unless it is in the course of the minor's employment.

**Marijuana and Cannabis Extracts:** Maine laws that permit use of recreational marijuana for persons 21 and over, and medical marijuana with appropriate certification, **do not** apply on the Colby campus, in Colby vehicles and facilities, or at Colby events.

Note: CBD, short for cannabidiol, is a compound that comes from the non-psychoactive portion of a cannabis plant. CBD is not a controlled substance under federal law, and its use is legal in Maine. However, before using CBD in any form, you are strongly encouraged to fully understand its health effects and if you use it, consider whether you should do so under supervision. Some individuals experience side effects from CBD use. Likewise, because there is no regulation of CBD, you should also ensure your CBD is third-party tested. Some can contain small amounts of THC - the psychoactive compound in marijuana - or other ingredients. Dosages can vary widely from the stated dosage on the container.

Colby does not prohibit the use of CBD unless it is combined with some other violation such as vaping. Unlike marijuana, CBD is also not prohibited by the NCAA. However, if you use CBD and it contains small amounts of THC, the THC could show up in a drug test and adversely affect your eligibility.

# GENERAL COLLEGE POLICIES

The following general college policies and procedures are intended to inform students about requirements for important aspects of living and learning in the Colby Community and provide standards for living and learning in a community. Any questions about these policies and their interpretation may be directed to the Dean of the College or the Dean of Students Offices.

**Access Policy:** All campus organizations and College-sponsored events are open to all members of the Colby community in accordance with the College's prohibition of discrimination. Exceptions to this policy may be granted, for compelling reasons, by mutual agreement of the dean of faculty and the Academic Affairs Committee; or, in the case of student-sponsored events, by mutual agreement of the dean of faculty, the dean of the college, and the College Affairs Committee. All campus facilities are designated for the use of Colby students, faculty, staff and others authorized by the director of Security and/or the individual facility's director.

However, except for residence halls, most College facilities are generally open to the public during the day and evening hours when classes are in session. The general public may attend specific cultural, educational and athletic events, but public access to campus facilities is limited to the facility or area where the event is being held. During periods when the College is officially closed, all College buildings are secured and inaccessible.

**Assistance and Service Animals:** Colby College has a detailed policy on assistance and service animals on campus. Students are required to comply with all policy requirements, and should be aware that policy violations can result in disciplinary action, fines and/or removal of the animal from campus. You can find the full policy in the appendix of this Handbook.

**ColbyCard:** Students are expected to carry their ColbyCard at all times. Students are required to display or surrender the card upon legitimate demand by a faculty member, administrator, Security officer or residence hall staff in order to establish identification. Failure to comply with such a request or reporting a false identity are serious offenses that will result in disciplinary action. Students are not allowed to tamper with their ColbyCard; loan their ColbyCard to others or use the Card for any unauthorized purposes. Any such misuse of the ColbyCard shall result in a fine and disciplinary action. Students should be aware that possession of any false identification card (including driver's licenses) is a violation of state law and College policy, and will result in a fine and disciplinary action. False identification cards will be confiscated by Security, and law enforcement in the appropriate jurisdiction may also be notified.

**Firearms and Other Weapons:** The College seeks to maintain a safe and secure environment in which to conduct educational, research, and service activities. This policy is a proactive step towards reducing the risk of injury or death associated with weapons. Except as set forth in this policy, the possession of weapons on campus is strictly prohibited.

For purposes of this policy, the term "weapon" shall include any object that can reasonably be considered a weapon or a facsimile of a weapon. Many objects are designed as and are commonly understood to be weapons. Examples include but are not limited to firearms and ammunition; spring or CO2-powered projectile guns; starter pistols; martial arts weapons;

knives; swords; metal knuckles; bludgeons or clubs; slingshots; archery equipment; tear gas; and grenades or other explosive/incendiary devices.

Additionally, the College recognizes that many common objects and tools designed for uses other than as a weapon may be used or may be modified for use as a weapon. In considering whether a particular common object or tool is considered to be a weapon under this policy, College officials will consider the time, place, how the object is being used, and other circumstances surrounding the possession of the object including the explanation for its possession and whether the object has been modified or otherwise altered to make a more effective weapon in making their determination.

Shotguns and high-caliber rifles used specifically for sporting purposes (with a valid Maine hunting license only) during Maine's hunting season must be registered and stored under Campus Security Department's supervision in Roberts Union. Please refer to the following link for the [Procedure for authorized secure firearm storage](#). **No concealed weapons are allowed on campus.**

Hunting on Colby property is forbidden, as the entire campus is designated a state game preserve. Students should also be aware that it is illegal to discharge a firearm anywhere within City of Waterville limits. Any weapon or object on campus in violation of this policy will be confiscated and may result in disciplinary action, up to and including expulsion.

**Free Expression:** The right of free expression—which does not include a right to harass, intimidate, injure, or silence others—is essential in an academic community and will be vigorously upheld. Infringing upon the expression of views, either by interfering with a speaker, or by defacing or removing properly posted or distributed notices or materials, will not be tolerated. Because unattributed (anonymous) postings preclude dialogue on content, materials such as posters, banners and advertisements should, but are not required to, include the identity of the sponsors. The College may impose sanctions if there is interference with the free, open, civil exchange of ideas and views, including harassment or intimidation. For further information, refer to the [Statement of Principles on Freedom of Inquiry and Expression](#).

**Fraternity Activity:** The Colby Board of Trustees voted in January 1984 to abolish fraternities and sororities because they were inconsistent with so many of the fundamental values described in this Handbook. These organizations typically have most or all of the following features: (1) Exclusive and secret membership, typically but not always involving a single sex, (2) activities conducted in secret, (3) secret recruiting and issuance of invitations in order to become a member, (4) initiations or other rituals including possible hazing activities, (5) Greek letters to identify the organization, and (6) the organization is not recognized by the College. Anyone engaging in these activities, on or off campus, either as a member, recruiter or pledge, shall be subject to sanction, possibly including suspension or additional penalties that could include expulsion depending on the seriousness of the violation. Anyone engaging in these activities, on or off campus shall be subject to sanction, possibly including suspension or expulsion, depending on the seriousness of the violation.

**Hazing:** Hazing is prohibited even if a student who is the subject of hazing consents or is a willing participant. Colby's definition of hazing also includes any action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment or ridicule of a student or students. Hazing is illegal under Maine law (20-A M.R.S.A. Section 10004). The law defines hazing as "any action or situation, including harassing behavior, which recklessly or intentionally endangers the mental or physical health

of a student enrolled at an institution in this State or any activity expected of a student as a condition of joining or maintaining membership in a group that humiliates, degrades, abuses or endangers the student, regardless of the student's willingness to participate in the activity" committed by any student, administrator, faculty member or organization affiliated with the institution. See the Student Code of Conduct in this Handbook for additional information and descriptions of hazing conduct.

Each student organization affiliated with the College must adopt the hazing policy as part of its bylaws or other governing documents. This requirement will be overseen by the director of campus life; the director of athletics will ensure compliance with this policy by athletic teams.

Any student who violates this policy is subject to disciplinary action, up to and including expulsion. Any administrator or faculty member who violates this policy is subject to disciplinary action, up to and including termination. Any organization affiliated with the College that violates this policy will be disbanded. In addition, violations may result in civil and/or criminal penalties.

**Student Businesses:** Students who wish to operate a business on campus must seek approval as a "student entrepreneur." Approval allows a student to conduct business on campus under a written agreement with the director of campus life and the director of risk management, who administer all agreements. All requests will be reviewed to ensure the following:

- The business has educational value; tying a business to a class or having a faculty "business advisor" is recommended.
- The business will not conflict with any existing or planned operation of the College.
- The business will not conflict with any business arrangements or contracts the College already has.
- The business will not utilize Colby facilities and equipment, such as telephone, mail, computers, etc.
- The business will not in any way affiliate itself with the College, represent itself as a business of the College, or have access to the use of any official marks of the College, including but not limited to name, logos, type or mascots.
- The student is aware of the legal responsibilities of running a business, such as IRS and state tax requirements, and business agreements with individuals and/or companies outside the College.
- Any other specific terms and conditions unique to the particular business.

The written agreement outlines the terms and conditions under which the student entrepreneur may operate on campus as well as any specific privileges granted by the College. Typically agreements are limited to specified business operations; do not last beyond the current academic year; are not transferable; can be terminated for failure to comply; and are not considered confidential.

Student Athletes with, or who are considering, a Name-Image-Likeness contract must consult Colby Athletics in this regard. Please refer to the College's [Name-Image-Likeness Activity Policy](#)

Students found to be conducting businesses on campus without approval are subject to disciplinary action and may be barred from operating a business on campus in the future.

**Solicitations:** The College does not allow solicitors, including students, to operate on campus without the written consent of the director of campus life. If students receive solicitations from other students, outside businesses or recruiters, they are strongly encouraged to check with the director of campus life to see whether the person has received appropriate approval.

**Tobacco and Smoke-Free Campus:** Colby strictly prohibits the use of tobacco or smoking of any kind (including “vaping” and use of electronic nicotine delivery systems) for all students, faculty, staff, visitors, vendors and contractors. This prohibition applies to: (1) all College property, wherever it is located; (2) all College buildings, including residence halls, academic buildings and athletic facilities; (3) all College-owned, leased or rented vehicles; and (4) all College-sponsored events and activities. Students who violate this policy, or whose smoking activates smoke detectors or causes damage, will receive sanctions based on the specific circumstances. Students who are interested in quitting smoking may contact the staff at the Garrison-Foster Health Center for support and resources.

**Vandalism and Damage:** Vandalism and reckless damage to facilities and property are very serious concerns for the College and the well-being of our community. Students who commit vandalism or damage property are strongly encouraged to come forward to accept responsibility for their actions. Students and others who witness vandalism or damage are also strongly encouraged to come forward. Reports can be made to Campus Security, the Office of Campus Life, or the Associate Director of the OCVCRPP.

Students found responsible for vandalism will be required to make full restitution for the damage and will also be subject to disciplinary actions depending on the circumstances. Students who come forward to accept responsibility for vandalism and damage within 24 hours of the occurrence will have this considered as a mitigating factor in assessing appropriate sanctions.

## **TITLE IX SEXUAL HARASSMENT POLICY**

The college strictly prohibits sexual misconduct, intimate partner violence, sexual harassment, and stalking. In accordance with federal regulations, the new Title IX Sexual Harassment policy, which is applicable to students, faculty and staff, can be found [HERE](#).

In addition, certain forms of sexual misconduct are also covered in the Student Code of Conduct.

# STUDENT CODE OF CONDUCT

The Colby experience is designed to enable students to find and fulfill their own unique potential through immersion in the liberal arts in an environment built on respect, active inquiry, inclusion, and the free and open exchange of ideas. By accepting membership in the Colby community, students agree to conduct themselves in a manner that is consistent with the values of an academic-focused community, including but not limited to honesty, integrity, civility, personal responsibility, respect for the rights of others, and openness in the pursuit of knowledge and the search for truth.

Students are expected to conduct themselves in accordance with the following fundamental expectations:

*Colby students will not lie, steal, cheat, engage in dishonest or unlawful behavior, or any behavior intended to inflict physical or emotional harm on another person. Colby students must abide by College policies and rules, and comply with directions of any College officials acting in performance of their duties.*

Students are also expected to be considerate of one another and respect the rights and property of others as well as the property of the College. The College addresses policy violations and student accountability issues on a case-by-case basis in light of the circumstances of the particular case, while bearing in mind the importance of treating students equitably and enforcing consistent expectations.

Students should also know that violations of College policies and disciplinary actions may be routinely shared with the student's Class Dean, Academic Advisor, coaches, academic advisors, the Dean of the College and the Dean of Students Offices, Health and/or Counseling staff, Campus Life, and other College staff who may provide services and/or support to the student as deemed appropriate, or who have a legitimate need to know the information.

The College reserves the right to suspend or expel from the College, reassign or remove a student from housing, any student whose presence the College deems to be detrimental to the general welfare of the College community or other students who have been impacted by a student's misconduct. As a general rule, there is no refund of room, board, or tuition for students who are removed from housing, suspended, expelled or withdrawn from the College pending, or as a result of, disciplinary action.

The Student Code of Conduct ("Code") is published in the Handbook, which is reviewed and updated from time to time, as needed. **The online version of the Student Handbook will always be the most current, and should be reviewed for the latest updates.** If an incident occurred while a previous version of the Handbook was in effect, the definition of the prohibited conduct as defined in the previous version will be applied. However, the procedures, outcomes and sanctions in the Handbook in effect at the time the Respondent is notified of an alleged violation/s, will govern all other aspects of the resolution process, unless otherwise required by law.

**Parent/Legal Guardian Notification:** The College may notify a student's parents/legal guardians about student conduct matters:

- a. In the event that sanctions involving probation, suspension, and expulsion are imposed upon a student by the College, as these actions jeopardize a student's current or future standing at the College;
- b. When students are transported to the hospital or other treatment center for any reason (including alcohol transports), and/or
- c. In any situation when knowledge of the information is deemed necessary to protect the health, wellness or safety of the student or any other individual.

Except in emergencies, the College will endeavor to notify and consult with the student prior to notifying that student's parents/legal guardians. Because of the consequences that may arise from such situations, students are deemed to have consented to these notifications, unless they notify the College to the contrary. Additionally, students are strongly encouraged to discuss disciplinary issues and/or other problems they are having with their parents/legal guardians on their own.

**Law Enforcement, Action in the Courts and at Colby:** The College expects all students to comply with federal, state and local laws. While the conduct covered by laws and those covered by Colby's policies and rules may overlap, it is important to note that the laws and Colby's policies and rules operate independently, and do not substitute for each other. Colby may pursue enforcement of its own policies and rules whether or not legal proceedings are underway, and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether College policies and rules have been violated. Conversely, the College generally makes no attempt to shield members of the Colby community from the law, nor does it generally intervene in legal proceedings against a member of the Colby community. Membership in the Colby community does not exempt anyone from federal, state or local laws but imposes the additional obligation to abide by all of Colby's policies and rules. The College may, at its discretion, involve and cooperate with law enforcement in incidents involving Colby students, particularly when involving law enforcement is deemed necessary for overall campus safety and security.

Students who are arrested or charged with civil or criminal violations are responsible for obtaining their own legal counsel.

**Responsibilities of Associate Director of the Office of Community Values, Conflict Resolution, and Restorative Practice:** The Associate Director of the OCVCRRP has primary responsibility for assessing and investigating student misconduct allegations and administering, interpreting student misconduct processes, in consultation as necessary with the Director of the OCVCRRP, Dean of Students, the Dean of the College, the Dean of Studies, and others involved with the particular student(s), such as the Class Dean, Academic Advisor, coaches, etc. The Associate Director of the OCVCRRP is responsible for ensuring that student misconduct matters are handled fairly and without unnecessary delay. The Associate Director of the OCVCRRP may designate other College professionals to assist with conduct matters.

**Application of Code:** This Code of Conduct applies:

1. To any person(s) who has matriculated, been accepted into courses as a non-matriculated student through the office of Civic Engagement, or who has enrolled at the College at any time, whether they have graduated or not, is within the jurisdiction of the Code. However, if the student is no longer enrolled when notice of a violation is received,

it will be a factor taken into consideration in determining whether to proceed with the matter.

2. To any recognized student organization or any association or organization of students whether or not currently recognized. An organization may not be “currently recognized” due to probation, suspension, withdrawal of recognition or termination of that organization or association. An athletic team is an “organization” under the Code.
3. To conduct occurring on any College owned, leased, managed or occupied real property; or
4. To conduct involving College property; or
5. To conduct at activities or programs pursued or conducted under the auspices of the College including students in internships or studying off-campus and abroad; or
6. To conduct at any other activity (including off-campus social and extracurricular activities) in which the College determines that it has an educational interest and that such activity would seriously threaten/impact: (a) the health and/or safety of an individual(s); (b) any educational process or function of the College; or (c) the broader College or off-campus community.

## Prohibited Behaviors

Violations are behaviors which contravene this code. They are activities or actions which directly impact the College and/or members of the College community. Based upon a preponderance of evidence standard, a student or student organization found to have violated the Code may be subject to disciplinary action.

The following list of behaviors is intended to provide students with information about the types of behavior that might result in discipline, up to and including suspension or expulsion. This list is not intended to be all-inclusive, and students should be aware that other types of misconduct or multiple violations may result in suspension or expulsion.

- **Academic Dishonesty** – Including but not limited to cheating, fabrication, plagiarism, etc. See Handbook section on Academic Integrity for further information
- **Abetting** - assisting others in the violation of the Code
- **Alcohol**
  - Possessing, furnishing, serving, consuming or use of hard alcohol on Colby property, in any Colby facility (including residence halls), at any Colby sponsored event or program. The only exceptions are that students 21 and older may purchase hard alcohol in the Blue Light Pub and at licensed catered events
  - Possessing, consuming, or furnishing beer and wine on Colby property, in any Colby facility (including residence halls), at any Colby sponsored event or program, by students under 21 years of age
  - Intoxication due to the use of alcohol
  - Students over 21 years of age furnishing beer and wine, or a place to consume beer and wine, to students under 21 years of age
  - Irresponsible use of alcohol that leads to disruptive, abusive, or destructive behavior
  - Encouraging students under the age of 21 to use alcohol
  - Contributing to the intoxication of other students resulting in hospitalization for intoxication, alcohol related injuries, sexual misconduct, or other serious violations

- Facilitating, planning or taking part in irresponsible activities that involve drinking, such as unregistered parties, drinking games, themed parties. Drinking games include activities such as, but not limited to, beer pong, flip, and king's cup. Themed parties include, but are not limited to, handcuff parties.
- Keg possession outside of registered parties and/or not in compliance with all requirements for such events
- Carrying open containers of beer and wine outdoors on Colby property or events, except at registered parties or sanctioned events
- Consuming beer and wine in common areas of residence halls (outside of assigned rooms) unless at a registered party
- Possessing, furnishing, serving, consuming alcohol on campus from the termination of summer programs through the first day of classes, regardless of age
- Arrest for an OUI during the academic year, or while working at Colby during the summer months, regardless of the location of the arrest
- **Conviction of a Crime** - Conviction in a court of law of violating local, state, or federal laws
- **Damage/Misuse of Property** -
  - Intentional or unintentional defacement, damage, destruction, of College or private property
  - Unauthorized use of College or private property
  - Inappropriate use of College property
- **Damage/Misuse of Technology** - Misuse or unauthorized use of College technology or violation of College Information Technology policies
- **Disrupting College Operations** -
  - Causing a disturbance that significantly disrupts the educational, community, or residential experience of other students, faculty, and/or staff
  - Significant interference with College employee's enforcement of the Code
  - Unauthorized occupation of any College building, meeting or teaching space that significantly disrupts the ordinary work of the college
- **Drugs**
  - Possessing, using, manufacturing, furnishing, or selling scheduled drugs, including, but not limited to, cocaine, LSD, heroin, amphetamines, barbiturates, and steroids, regardless of location
  - Possessing, using, furnishing, or selling recreational or medical marijuana or cannabis extracts not approved by the FDA
  - Possessing prescription drugs not legally prescribed for the student. Students in possession of drugs legally prescribed to them are responsible for the safekeeping of all prescription drugs. Any theft or loss of prescribed medications should be reported to Security immediately.
  - Furnishing or selling prescription medications
  - Possessing drug paraphernalia, including but not limited to "bongs" or water pipes, and the like
  - Intoxication due to the use of drugs
  - Irresponsible use of drugs that leads to disruptive, abusive, or destructive behavior
  - Encouraging other students to use drugs
  - Contributing to the intoxication of other students resulting in hospitalization for intoxication, or drug related injuries, sexual misconduct, or other violations
- **Failure to Comply** -

- Not completing a sanction assigned as through resolution of a College disciplinary process
- Not identifying yourself to a College employee, including not displaying or surrendering your ColbyCard when requested by a faculty member, administrator, security officer or Residence Life staff, including student employees
- Not complying with, or interfering with, a directive from a College employee with authority to issue such a directive, including student employees
- **Fake Identification** - Possession and/or use of false I.D.s on or off campus. False I.D.s will be confiscated and students will be subject to discipline and possible law enforcement action.
- **Falsification of information** -
  - Providing false information or refusing to provide information to a College employee or in a College proceeding;
  - Tampering with, destroying, or falsifying records or documents
- **Indecent Behavior** - Including but not limited to sexual activity, nudity, urination or defecation in the presence of others; lewd behavior. Indecent Behavior in public is considered a more serious violation.
- **Firearms and Weapons** – Possession or use of weapons not in compliance with the Firearms and Weapons Policy in the General Policies section of the Handbook.
- **Fire Safety Violation** - Interference with or misuse of fire, safety, or alarm equipment; tampering with, disabling, or causing malfunction of fire and safety equipment or alarm systems; arson or unauthorized fires; possession and use of fireworks; or possession of prohibited items in residence halls that present a fire safety hazard
- **Fraternity Activity** - Rushing, pledging, perpetuating, and/or initiating activities determined to be fraternity activities. Please refer to the Fraternity Activity section in the General Policies of the Handbook for further information.
- **Free Expression Impingement** - any infringement of the rights of others to freely express themselves, includes interfering with a speaker, or defacing or removing properly posted or distributed notices or materials. Please refer to the Free Expression policy in the General Policies section of the Handbook for further information.
- **Gender-based quid-pro-quo harassment** - includes harassment based on a person's actual or perceived gender, sex, sexual orientation, gender identity or expression, or gender stereotypes. This may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any Colby programs and/or activities, or is used as the basis for Colby decisions affecting the individual.
- **Harassment/Discrimination** - Conduct in violation of Colby's general prohibitions against harassment and discrimination. See the sections in this handbook entitled "Prohibition on Harassment" and "Prohibition on Discrimination" for definitions of harassment and discrimination and an explanation of the prohibition. Harassment can also take the form of sexual harassment (see the College's Title IX policy) or gender-based harassment (defined above).
- **Hazing** - Hazing is prohibited even if a student who is the subject of hazing consents or is a willing participant. Colby's definition of hazing includes any action taken or situation created, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment or ridicule of a student or students. Hazing is also illegal under Maine law. The law defines hazing as "any action or situation which recklessly endangers the mental or physical health of a student enrolled at an institution in this

State” committed by any student, administrator, faculty member or organization affiliated with the institution.

Examples of hazing activities by individuals, groups or organizations in connection with recruiting, initiating and/or membership activities may include but are not limited to the following:

- Any physical act of violence expected or, or inflicted upon another person;
- Causing excessive fatigue or sleep deprivation;
- Any physical activity expected of, or inflicted upon, another person by a student or students;
- Pressure or coercion, whether explicit or implicit, to consume any legal or illegal substance;
- Making available illegal substances to students;
- Pressure or coercion, whether explicit or implicit, to join or participate in an activity or group involving students and/or alumni that has not been sanctioned by the College and/or that has been banned;
- Kidnapping, road quests, road trips, and/or abandonment;
- Engaging in public stunts, humiliating or degrading tasks or activities;
- Servitude (expecting a new member to do tasks for an experienced member);
- Costuming or alteration of appearance;
- Line-ups or berating behavior;
- Coerced lewd activity;
- Interference with academic activities;
- Requiring students to keep prohibited activities a secret

Each student organization affiliated with the College is required to adopt a hazing policy as part of its bylaws/governing documents. This requirement is overseen by the Director of Campus Life and Director of Athletics. Violations of this policy by students can result in sanctions up to and including expulsion. Violations by a College employee can result in disciplinary action up to and including termination. Violations by an organization affiliated with the College will result in disbandment. Violations may also be referred to law enforcement and result in civil and/or criminal penalties

- **Health and Safety Violation** - Including but not limited to creating a dangerous or unsanitary environment; endangering the health or safety of others or reckless behavior; false reporting of dangerous conditions; restricting traffic flow; possession of hazardous chemicals; restricting the flow of individual(s), and violation of College health or safety policies.
- **Identity-Based Harassment** - includes harassment based on a person’s actual or perceived race, color, religious belief, political belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status, or age. This may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, when the result is the creation of a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College’s educational or employment programs and/or activities. Conduct, which may include expression that rises to the level of harassment, must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, Colby will consider the totality of the known circumstances, including but not necessarily limited to:
  - The frequency, nature and severity of the conduct;
  - Whether the conduct was physically threatening;

- The effect of the conduct on the targeted party's mental or emotional state;
  - Whether the conduct was directed at more than one person;
  - Whether the conduct arose in the context of other discriminatory conduct;
  - Whether the conduct unreasonably interfered with the targeted party's educational or performance and/or participation in College programs or activities;
  - Whether the conduct unreasonably interfered with targeted party's educational opportunities (including study abroad), College-controlled living environment, or work opportunities;
  - Whether the conduct was humiliating; and
  - Whether the conduct implicates concerns related to academic freedom or protected free expression.
- **Illegal Activity** - Including any activity deemed criminal or illegal under federal, state or local laws, statutes, ordinances, regulations and codes which are not covered by the Code.
  - **Inciting Fear** - Includes but is not limited to causing fear of physical or mental harm; expressing the intent to commit an act of unlawful violence against another person or group of people to that person or group; threatening, intimidation; bullying behavior; creating a hostile environment for another student through any means, including social media.
  - **Noncompliance** - not complying with College Policies not covered in the Code or the policies of other College offices, programs, etc., including Residence Life, Athletics, student activity/organization regulations, etc.
  - **Parking/Vehicle Noncompliance** - noncompliance with College motor vehicle and parking policies and regulations.
  - **Physical Assault / Attempted Physical Assault** - Using physical force or attempting to use physical force against another person or group of people. Examples of physical force include, but are not limited to, spitting, pushing, shoving, hitting, kicking, or other physical contact that causes harm, pain, or discomfort. Using physical force as a response to physical force that continues and/or escalates an altercation may also be addressed. Acts committed against persons while in the performance of their duties (e.g. police/security officers, Residence Life staff, faculty/staff) are considered more serious.
  - **Retaliation** - any adverse action taken against a person either for making a good faith report of Prohibited Conduct, or participating in any investigation or proceeding under this policy (even if the report is later not proven). Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected by this policy, either by a respondent or any person connected with the respondent. Retaliation may be present even where there is a finding of "not responsible" on the allegations. Retaliation does not include any good faith actions pursued in response to any report of Prohibited conduct.
  - **Sexual Misconduct** - The college strictly prohibits sexual harassment, sexual misconduct, intimate partner/dating violence, and stalking.
    - **Non-Title IX Sexual Misconduct** - Any conduct that would otherwise qualify as a Title IX violation, but which is not within the jurisdiction of Title IX, such as a sexual assault or other types of sexual harassment (as identified in the Title IX policy) occurring outside of the United States or in the United States, but in a non-College education program or activity or on non-College owned, managed or controlled property. *See Title IX Sexual Harassment Policy section of the Handbook or [click here](#) for Title IX policy where definitions of behaviors can be located.*
    - **Complicity, Retaliation and Title IX Retaliation** - Complicity is any action taken by a person with the purpose of aiding, facilitating, promoting or encouraging the

commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding. This includes any act of retaliation (intimidation, threats, coercion or discrimination) against a person for that person's exercise of rights or privileges under Title IX, including because the person has testified, assisted, participated or refused to participate in any manner in an investigation, proceeding or hearing under Title IX.

- **Sexual Exploitation - Sexual Exploitation** occurs when a person takes sexual advantage of another person as noted below without the consent of the person (see Title IX Policy for the definition of consent). Examples of behavior that could constitute sexual exploitation include but are not limited to the following:
  - Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of or with the result of compromising that person's ability to give consent to sexual activity;
  - Allowing third parties to observe private sexual activity from a hidden location (e.g. closet or window) or through electronic means (e.g. Skype or live-streaming of images);
  - Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants) or viewing another person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  - Recording or capturing through any means images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts (including genitalia, anus, groin, breasts or buttocks), or nudity without that person's consent;
  - Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts (including genitalia, anus, groin, breasts or buttocks), or nudity, if the individual distributing the images or audio knows or should have known that the person(s) depicted in the images or audio did not provide consent to such disclosure;
  - Disseminating or posting of images or recordings of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  - Prostituting another person;
  - Knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge;
  - Exposing one's genitals or inducing a person to expose their genitals without consent;
  - Viewing another person's sexual activity, intimate body parts, or nudity in a place where that person would have a reasonable expectation of privacy without that person's consent; and/or
  - Viewing the other person's or persons' sexual activity, intimate body parts, or nudity in such a place where a reasonable person would know or should have known that the person(s) being viewed would object.

Note: Colby's prohibition of Sexual Exploitation is not intended to prohibit the use of legal sexually explicit materials that are reasonably related to Colby's academic mission. Specifically, this section is not intended to proscribe or inhibit the use of sexually explicit materials, in or out of the classroom, when in the judgment of a reasonable Colby faculty member they arise appropriately to promote genuine discourse, free inquiry, and learning.

- **Intentional Non-Consensual Contact** is contact, intended by a person without the other person's consent, with the intimate body parts (genitalia, breasts, anus, groin, buttocks) of the other person that does not meet the definition of behaviors prohibited under the definition of "Sexual Assault" under the College's Title IX Policy. Examples include making someone else touch your intimate body parts; or you touching another person's intimate body parts.
- **Theft or Possession of Stolen Items** - stealing, attempting to steal or assisting in the theft of any money, property or item of value; using, appropriating, or possessing any property not belonging to the student without permission of its owner or the right of sale.
- **Tobacco, Smoking and Electronic Nicotine Delivery Systems** – The use of tobacco and smoking of any kind (including “vaping”) of any substance and use of electronic nicotine delivery systems. This prohibition applies to 1) all College property and grounds, wherever it is located; 2) all College buildings, including residence halls, academic buildings and athletic facilities; 3) all College-owned, leased or rented vehicles; and 4) all College-sponsored events and activities.
- **Trespassing / Unauthorized Entry or Occupation** -
  - attempting to enter, entering or remaining in College or private spaces by an unauthorized person;  
College spaces include closed residence halls, or any secured office, space, building, or vehicle. Private spaces include student rooms, faculty and administrative offices, and other employee workplaces.
  - failure to vacate a private space upon the request of the occupant(s), by Security, or by another College employee;
  - being in or on Johnson Pond without authorization
  - allowing entry by unauthorized persons into parties or other events, private or public
  - unauthorized entry into facilities, roofs or other off-limits areas
- **Unauthorized Recording of a Conversation** - Includes but is not limited to the intercepting, recording, photographing or taking video which captures a faculty or staff member in a classroom, office, over the telephone or by other digital, electronic or other means without the consent of that faculty or staff member, unless it is part of an approved accommodation. Audio and visual recording on campus, at Colby events, or among Colby community members is governed by [College's Recording Policy](#). This policy addresses prohibited and permissible recording, outlines the principles underlying the policy, and provides guidance in responding to inquiries or claims involving the policy.
- **Unauthorized/unregistered parties** - Any events with alcohol must be registered with the [Office of Campus Life](#) and are subject to that Office's specific regulations. Failure to register such parties or facilitating, taking part in or planning such parties is a violation of this Code and may also result in denial of future opportunities to hold events as well as discipline for those involved in taking part in, facilitating or planning such parties.
- **Vandalism** - deliberate, significant destruction of or damage to public or private property

Students are strongly encouraged to come forward to accept responsibility for their actions and to report violations of the Code. When students accept responsibility for their actions, this will be considered a mitigating factor in determining appropriate sanctions. Reports can be made to the Campus Security Department or the Dean of Students Office.

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## Definitions

- **Advisor:** A person who advises or supports any person involved in a Code Resolution Process. Advisors can include Colby students, faculty, staff, administrators, parents, guardians, or attorneys (so long as they are not involved in the particular incident). The person engaging the advisor must cover any fees or expenses of the advisor. See Sections 5 and 6 regarding the roles and responsibilities of advisors in the Student Conduct process.
- **Code:** This section of the student handbook that governs student behavior.
- **Complainant:** Any person or student organization who alleges that a student or student organization violated the Code. In any incident, there may be more than one Complainant, in which case, the provisions of this policy apply to each Complainant.
- **Days:** Days refer to business days when the institution is in operation—Monday to Friday. Recognized federal and state holidays except those in which the College remains open, and days when the College announces it is closed, are not considered “days” or business days in this Policy.
- **Employee of the College:** Employees (faculty, staff, contractors, agents of the College) are referred to in the handbook as “College Employee”.
- **Preponderance of Evidence:** The College uses preponderance of evidence standard in its analysis of facts. Under this standard, a fact is deemed true if it is “more likely than not” to have occurred. In turn, whether a violation(s) of the Code occurred is based on this standard, that is, whether the violation(s) is “more likely than not” to have occurred.
- **Respondent:** Any person alleged to have committed a violation of the Student Code of Conduct. In any incident, there may be more than one Respondent, in which case, the provisions of this policy apply to each Respondent.
- **Conduct Board:** The Student Conduct Board, herein referred to as “Board”, is the governing board that hears cases referred from the Associate Director of the OCVCRP.

## Resolution Processes

The resolution of alleged violation of the Student Code of Conduct and other College Policies is the duty of the Associate Director of OCVCRP. In the absence of the Associate Director of OCVCRP, the Director of OCVCRP will designate these duties to another member of the Dean of the College Division.

## Receipt of Information, Investigation and Selection of Resolution Process

- Information regarding a potential violation is sent to the OCVCRP, usually in the form of an Incident Report, possibly with accompanying evidence.

- The Associate Director reviews the information to determine whether there is sufficient evidence of a violation of the Student Code of Conduct or other College policy to initiate a resolution process. If additional information is needed, the Associate Director may investigate further by, for example, speaking with the source of the information or requesting the submission of a statement by people identified or implied in the source information.
- If the Associate Director determines that there is insufficient evidence to suggest that a violation occurred, no further action is taken. In this circumstance, any information submitted does not enter a student's educational record.
  - The Associate Director may refer the incident for a **Restorative Practice/s or Conflict Resolution** if such an incident shows:
    - a potential need for the restoration of a community;
    - a harm caused to a community by an individual or group;
    - a potential need for the restoration of relationships between individuals where either one or more of the individuals caused harm to another
- If it is determined that there is sufficient evidence of a violation, the Associate Director determines the alleged policy violations (charges).
- The Associate Director then determines whether an Administrative Resolution Process or a Conduct Board is the appropriate resolution process for the incident.
- The student receives notification of the alleged violations and the type of resolution process that has been initiated.

## Administrative Resolution Process

- A student receives email notification of the initiation of a resolution process. The email will instruct the student to follow a link to Maxient (a student information management system) to collect an official letter. The letter will state:
  - The Administrative Resolution Process has been initiated and the student has been identified as a Respondent.
  - All alleged violations
  - Incident date and location
  - The Respondent must attend an Administrative Resolution Meeting to review the information reported to the Associate Director, plus any evidence the Associate Director has collected in their investigation, if applicable. Forms of evidence include, but are not limited to not limited to, photographs, security reports, videos, posts, texts, and door entry logs.
  - The Respondent has the right to have an advisor during the process. If the Respondent engages an advisor, the Respondent, not the advisor, must speak and respond to questions on their own behalf. The advisor may consult with the Respondent, but may not answer or make statements on behalf of the Respondent.
  - The date, time and location of the ARM, or notice that the OCVCRRP will schedule an ARM with the Respondent.
- The Administrative Resolution Meeting is held with the student (and advisor, if applicable).
- The Associate Director may, based on the information shared in the initial ARM, do additional investigative work and/or schedule follow-up meeting/s to conclude the ARM.
  - ***At this stage of the Administrative Resolution Process, the Associate Director may elect to offer the Respondent the opportunity to engage in an Informal Resolution. (see section on Informal Resolution below for details.)***
- The Associate Director makes a finding/s - the determination of responsibility - and, if applicable, assigns appropriate sanction/s.

- If additional evidence comes to light after the ARM but before the Resolution Letter is sent, the Associate Director will either not consider that evidence in the determination of responsibility or will provide the Respondent with an opportunity to respond to the evidence.
- The Respondent will receive a Resolution Letter with finding/s and sanctions, if applicable, by email by the end of the 3rd business day after the day on which the ARM was concluded.
- Students may appeal the outcome/s of an Administrative Resolution Process (refer to the Appeals section below). Appeals must be submitted by the end of the 3rd business day after the Resolution Letter was sent.
- The finding/s and sanction/s of an Administrative Resolution become part of a student's disciplinary record.
- The Associate Director may refer any case moving through an Administrative Resolution Process to a Conduct Board Process at any stage prior to a determination of responsibility.

## Informal Resolution

- Informal Resolution typically occurs when a student acknowledges responsibility for violating the Student Code of Conduct and agrees to appropriate outcomes. It is typically an option for minor, first time violations. Mitigating and aggravating circumstances revealed in the Administrative Resolution Meeting or Conduct Board hearing may influence whether an Informal Resolution is offered. In rare circumstances, Informal Resolutions may be reached without an admission of responsibility.
- Informal Resolution is used at the discretion of the Associate Director and Conduct Board hearing panels.
  - Where an Informal Resolution Process originates in a Conduct Board hearing, the Associate Director will consult the panel chair throughout the process.
- Outcomes may include an obligation to complete Restorative Practice/s, educational/developmental programs or meetings, or other actions deemed appropriate for the student and Colby community.
  - In cases where there are multiple alleged violations, it will be noted in writing for which violations the Respondent is acknowledging responsibility.
  - If there are alleged violations included in the case for which the Respondent is not acknowledging responsibility, and an appropriate Informal Resolution is reached for the acknowledged violations, the Associate Director may drop the unacknowledged alleged violations.
- The Associate Director will propose the outcomes they deem appropriate to the Respondent, either in person or in writing via email. The Respondent may respond with suggestions for alterations to the outcomes. There may be several rounds of correspondence between the Respondent and Associate Director.
- When an agreement is achieved, or if the Associate Director determines that talks are not progressing, the Associate Director will send an Informal Resolution Agreement letter to the Respondent.
- If the Respondent agrees to the outcomes offered in the Informal Resolution Agreement they must sign the letter and submit it to the Associate Director. The Respondent will be required to complete the obligations agreed to.
- If the Respondent does not agree to the outcomes offered in the Informal Resolution Agreement, the matter will revert back to the Administrative Resolution Process or Conduct Board Process. The Associate Director or hearing panel (reconvened by the Associate

Director and panel chair) will make a finding/s for all alleged violation/s and assign sanctions.

- When reaching a determination of responsibility, the Associate Director or hearing panel will not consider any additional evidence which came to light, or was revealed by the Respondent, after the time the Associate Director offered an opportunity to seek an Informal Resolution.
- The outcomes of an Informal Resolution Agreement will not become part of a student's disciplinary record.

## Cases involving Complainants

- If an incident is reported by a Complainant/s, a consultation meeting will be scheduled with the Associate Director. In this meeting:
  - The Complainant/s will describe the incident/situation to the Associate Director and identify any available evidence that could be submitted, including potential witness statements.
  - The Associate Director will explain options and processes with the Complainant/s, including Restorative Practice (if available), the Informal Resolution Process, the Administrative Resolution Process, and, if deemed by the Associate Director to be a potential resolution path in the particular case, the Conduct Board Process.
  - The Complainant/s will indicate their preferences regarding the Resolution Processes available. This is to assist the Associate Director to determine the appropriate Resolution Process to initiate, if applicable.
- The Complainant/s will submit a detailed written statement describing the incident/situation and all evidence, including written witness statements.
- The Associate Director reviews the information to determine whether there is sufficient evidence of a violation of the Student Code of Conduct or other College policy to initiate a resolution process. If additional information is needed, the Associate Director may investigate further by, for example, speaking with the source of the information or requesting the submission of a statement by people identified or implied in the source information.
- If the Associate Director determines that there is insufficient evidence to suggest that a violation occurred, the Complainant/s will be informed.
  - The OCVCRPP will seek to work with the Complainant/s and other party/ies involved to resolve the situation/conflict, typically through mediation or processes based in restorative justice.
  - The Complainant/s has the right to appeal the Associate Director's determination to the Dean of the College. The appeal must be in writing and sent to the Associate Director of the OCVCRPP for forwarding to the Dean of the College. The Dean of College will review the appeal letter and determine, generally within fifteen business days, whether alleged violations should be pursued.
    - When an appeal of this nature is granted to a Complainant/s, the allegations will be resolved through the Conduct Board Process, unless the Complainant/s and the Dean of the College, or designee, agree to another path to a resolution.
- If the Associate Director determines that there is sufficient evidence to suggest that a violation occurred:
  - If the Complainant/s select Restorative Practice (if available) as their preferred means to resolution, the Associate Director will consult the Director of OCVCRPP and initiate the appropriate process.

- If the Respondent opts not to participate in, or fails to complete, a Restorative Practice, the matter will typically revert to the Administrative Resolution Process or Conduct Board Process. When reaching a determination/s of responsibility, the Associate Director or hearing panel will not consider any inculpatory evidence which came to light, or was revealed by the Respondent, after the time the during any unsuccessful Restorative Practice
  - If the Complainant/s indicated a preference for Informal Resolution, and the Associate Director agrees that this is appropriate, the Associate Director will attempt to facilitate the achievement of outcomes, typically through mediation or restorative justice-based processes.
  - If the Respondent opts not to participate in an Informal Resolution Process, or does not agree to the outcomes offered in the Informal Resolution Offer, if applicable, the matter will typically revert to the Administrative Resolution Process or Conduct Board Process. When reaching a determination of responsibility, the Associate Director or hearing panel will not consider any inculpatory evidence which came to light, or was revealed by the Respondent, after the time the during any unsuccessful Informal Resolution.
  - If the Complainant/s prefers to pursue the Administrative Resolution Process, and the Associate Director deems it appropriate, the Associate Director will initiate the process. The Complainant/s will have the opportunity to submit all written statements and evidence to be used in the Resolution Process before the Respondent is notified of an alleged violation/s. No statements or evidence may be added after notification. The Complainant/s will not participate in the Administrative Resolution Meeting.
  - The Associate Director may elect to initiate the Conduct Board Process if deemed more appropriate for the case. The Complainant/s will participate in the Conduct Board hearing as outlined in the Conduct Board Process.
- The Complainant/s and Respondent have the right to appeal the findings of an administrative Resolution Process or Conduct Board Process.

## **Conduct Board Process**

- The Board is composed of fifteen members:
  - A member of the Board will serve as Board chair selected by those members of the Board;
  - Eight students (two seniors, two juniors, two sophomores, and two at-large) balanced by gender identity;
  - Four members of the faculty; and
  - Two staff members appointed by the Dean of the College.
- Board member appointments and terms are as follows:
  - Student members are nominated by the Student Government Association (SGA) and approved by the Dean of the College in consultation with the Dean of Students. Student members must be in good academic and conduct standing as determined by the Dean of the College. Student members serve for one year, which term may be extended for an additional year if requested by the student and approved by the Dean of the College in consultation with the Dean of Students.
  - Faculty members are appointed by the faculty and serve for three years.

- Staff members are appointed by the Dean of the College and serve for two years.
- Five voting members are randomly selected from the Board for each hearing panel — two students, one faculty, and two staff members—for each case (a “hearing panel”). The Dean of Students shall designate one member of the hearing panel as the hearing panel chair. If a member of the panel indicates that they have a conflict in hearing the case, another member will be selected for the panel.
- The Associate Director of the OCVCRPP is responsible for scheduling the hearing. If a hearing is necessary at or after the end of a semester and the regular hearing panel cannot be convened, the Associate Director of the OCVCRPP may convene a special hearing panel. The membership will consist of five Board members available at the time of the hearing, including at least one student, one faculty member and one staff member.
- Notice of Allegations and Process: At least ten days prior to the hearing, or as far in advance as reasonably possible if, due to extraordinary circumstances, an accelerated hearing is sought, the Associate Director of the OCVCRPP shall send a letter to the Respondent stating the following:
  - A summary of the alleged violations, including date, location, time, the applicable portion of the Code, and the identity of the members of the panel. Any evidence in the possession of the Dean of Students which may be presented at the hearing will also be made available for the Respondent to review upon request.
  - The time and place of the hearing. Attendance by the Respondent is mandatory, superseding all other campus activities. If the Respondent does not appear at the scheduled hearing, the hearing may proceed without the Respondent present. If the Board Chair determines that there is good cause, the Board Chair may reschedule the hearing. Except in extraordinary circumstances, a Respondent must agree to the scheduling of an accelerated hearing.
  - Within three business days of the notice of alleged violations, the Respondent must identify any concerns about a bona fide conflict of interest on the part of any panel member assigned to the case. If the hearing panel member does have a bona fide conflict, the Associate Director of the OCVCRPP will select another Board member to serve.
  - The Respondent may bring an advisor to the hearing. An advisor may be a current Colby student, faculty, staff, administrators, parent/legal guardian/family member or attorney who is not a witness in the case. The Respondent must notify the Associate Director of the OCVCRPP of the identity of the advisor at least three business days before the hearing. The Respondent must speak and respond to questions on the Respondent’s own behalf. The advisor may consult with the Respondent, but may not answer, make statements, pose objections or questions unless so permitted by the hearing panel Chair.
  - If the hearing is being held as a result of a complaint by a specific Complainant, the Complainant also has the right to attend the hearing and will receive the same notice of the hearing time and place as the Respondent. The Complainant also
    - has the right to bring an advisor to the hearing, who may assist the complainant in the same manner as the Respondent s advisor.
- Preparation for Hearing: The Associate Director of the OCVCRPP (or the Dean of Students’ designee) works with / provides information to the Respondent, the Complainant (if any), and any witnesses to prepare for the hearing. All information, documents, statements and materials which make up the record to be considered by the panel (the “records”) are the property of the College. Except as provided below,

those involved in the hearing, are prohibited from duplicating, disclosing, or distributing the records to anyone. The records will not be shared with any persons except the panel, the Associate Director of the OCVRRP and other appropriate Colby employees, and with the written permission of the Respondent, with their parent/legal guardian, advisor or attorney. Dissemination of the records or information contained within the records by the Respondent to any person, including witnesses, other than their parent/legal guardian or advisor, or any publication of the records, including publication through social media, is expressly prohibited. The Respondent is responsible for ensuring that their parents, legal guardians and advisors adhere to this prohibition. Any such dissemination or publication constitutes a violation which may result in suspension or expulsion from Colby. The Associate Director of the OCVRRP is responsible for scheduling the hearing, assembling materials and evidence presented to the hearing panel.

#### Hearing Process:

- The hearing shall be recorded by current means of available technology (digital audio, etc.).
- The hearing is closed. Only the Respondent and Complainant (if any) and their advisors are permitted to attend the entire hearing; there will be no observers. The hearing panel Chair may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the hearing panel or the persons involved. The College's general counsel may attend any hearings and assist the Chair or panel in the administration of the hearing process.
- The Associate Director of the OCVRRP or the dean's designee may address the panel and present information, evidence and other materials relevant to the matter to the hearing panel.
- The Complainant (if any) and the Respondent shall be permitted to make opening and closing statements, if desired.
- The Respondent has the right and responsibility to respond to allegations of misconduct. However, by choosing to remain silent or not appear, the Respondent may, nevertheless, be found responsible and face sanctions if the hearing panel determines they are warranted.
- Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in panel hearings.
- Only information pertinent to the possible violation, and which information which is common knowledge to people in the conduct of their ordinary daily affairs (e.g. – snow is cold, ice can be slippery) will be considered by the hearing panel. The hearing panel Chair shall have discretionary authority to determine whether the hearing panel will receive and consider particular information, including information about other disciplinary actions or civil/criminal convictions involving the Respondent, and to resolve any procedural questions or disputes that arise in the course of a hearing.
- Participation in a hearing by telephone, closed circuit television, video conferences, video or audio recording, written statement, or other means may be permitted by the hearing panel Chair to the extent deemed appropriate in the Chair's sole discretion. Any request to appear other than in person must be approved in advance of the hearing date.
- Proceedings are strictly confidential. All persons present at any time during the hearing are expected to maintain confidentiality. Any documents distributed to hearing

panel members during the course of the hearing shall be collected at the end of the hearing.

- Once the hearing is concluded, the hearing panel will deliberate in private session. The panel reaches its decisions by majority vote. The hearing panel shall base its determinations on the preponderance of the evidence standard. If a Respondent is found responsible, the panel will then be informed of any relevant information about the Respondent's disciplinary history (if not shared during the hearing) and will assess appropriate sanctions. The Associate Director of the OCVCRPP may assist the panel by advising it of the types of sanctions applied in similar cases. Except for subsequent review and discussion of the case with the Board as part of a general discussion, training and background related to hearing panel work, the deliberations of the hearing panel shall be kept in strict confidence.
- The panel may elect to offer the student an Informal Resolution Process (see section on Informal Resolution above). The board will provide their rationale and recommended outcomes to the Associate Director, who would facilitate further. In these cases, the Associate Director will consult with the Panel Chair during any correspondence with the Respondent regarding the outcomes and an Informal Resolution Offer would have the name of the Assoc Dir and Chair.
- Notice of Decision and Sanctions (if any): The Associate Director of the OCVCRPP shall prepare a written decision letter to the Respondent within five days of the hearing panel's decision. To the extent permitted by the Family Educational Rights and Privacy Act (FERPA) and other applicable law, the decision letter or portions of that letter will be shared with the Complainant, if any.

## Organization Conduct Process

- The Associate Director of the OCVCRPP is responsible for investigating charges against organizations and in instances where the dean elects to bring a case before the Conduct Board versus an administrative investigation, in preparing cases for the Board. In determining whether an organization may be held collectively responsible for the individual actions of its members, all the factors and circumstances surrounding the specific incident will be reviewed and evaluated. An organization will typically be held collectively responsible when:
  - Actions that lead to injury or damage to a person or property, violation of the Code, or misuse of property or College funds have received the tacit or overt consent or encouragement of the organization or the organization's officers.
  - In the course of its activities, an incident is the result of the failure of the organization or its officers to take reasonable precautions against such actions described above, or the failure to act during the course of the activity to prevent or mitigate harm or damage.
  - A policy or practice of an organization is directly responsible for such damage, harm, misuse or Code violation.
  - The violation involves hazing activity.
- Whether or not alleged violations are pursued as organization misconduct, individual members of the organization may still face discipline under the individual discipline process, in addition to any organization sanctions imposed.

- **Process:** If organization misconduct is alleged, the matter will be reviewed by the Associate Director of the OCVCRP and a determination will be made by the dean about whether to handle the matter as an administrative investigation or through the Conduct Board process. If the Conduct Board process is selected by the dean, the hearing process shall be identical to the process employed for students, except that all notices, decisions and other communications will be provided to the organization's leader. It shall then be the responsibility of the organization's leader to notify the rest of the members of the organization and its advisor, if any.
- **Sanctions in Organization Conduct Cases:** Changes to an organization's recognition generally form the basis of sanctions. Recognition by the College grants to any organization the right to function on campus, to receive College privileges and funding, to enroll Colby students as members, to participate in College activities, and to be associated with the College. An organization's prior disciplinary record, if any, shall be considered in the sanction phase.  
Sanctions may include, but are not limited to the following:
  - **Full recognition with warning:** The organization maintains full recognition, but is warned that further failure to meet the criteria for recognition or additional violations of the Student Code of Conduct will result in a more serious sanction.
  - **Probation recognition:** The organization is recognized by the College, but is placed on probation for a specified period of time, during which specified privileges and activities may be curtailed or revoked. Probation recognition ordinarily will be in effect for a minimum of one semester but can be longer.
  - **Suspended recognition:** The organization's recognition is suspended for a specified period of time, during which all privileges are revoked, the organization's activities are discontinued, and funding by the Student Government Association may be withdrawn.
  - **Permanent withdrawal of recognition:** Recognition by the College is withdrawn on a permanent basis.
  - Other sanctions, including restorative justice measures, may be assessed depending on the circumstances and type of violations and the type of organization involved.
- **Appeals in Organization Conduct Cases:** The process of and the grounds for an appeal from a decision involving organization conduct shall be identical to the process for an appeal in the individual student resolution process.

## Sanctions

The following sanctions described below may generally be applied to address violations of the Code. In determining the appropriate sanction, a number of factors may be considered, including but not necessarily limited to the following:

- The nature, severity of, and circumstances surrounding the violation;
- The student's conduct during the course of the case;
- The student's disciplinary history;

- The impact of sanctions on the student, other students involved and the Colby community;
- Any other aggravating or mitigating circumstances
- Consistency with cases involving similar conduct; and
- Any other information deemed relevant by the Associate Director of the OCVCRPP or the Conduct Board hearing panel.

The following are customary sanctions that may be imposed on students, either singly or in combination:

- **Verbal warning:** Meeting with the student to discuss the violation and warning. A verbal warning is documented. In the event of future violations of the Code, a verbal warning may be taken into consideration in determining a sanction
- **Disciplinary warning:** A formal statement that the student's behavior was unacceptable and warning that future violations of College policies and rules, including the Code, will result in more severe sanctions.
- **Probation:** A formal statement that future violations of College policies and rules, including the Code, may result in suspension or expulsion. Terms of the probation will be specified, and may be for a fixed term for the remainder of a student's enrollment at Colby.
- **Suspension:** Termination of student status for a definite or indefinite period with the right to re-apply after a specific length of time. This may include specific conditions for return to be approved. A student returning from suspension remains on disciplinary probation for the remainder of the student's enrollment at Colby, and other restrictions may be imposed as deemed appropriate.
- **Expulsion:** Permanent separation from the College.
- **Withholding Diploma:** The College may withhold a student's diploma for a specified period of time and/or prohibit participation in commencement activities if the student has disciplinary charges pending, or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree:** The College reserves the right to revoke a degree awarded by the College for fraud, misrepresentation, or other violations of College policies and rules in obtaining the degree, for other serious violations committed by a student prior to graduation. The College also reserves the right to revoke a degree for serious criminal or unethical conduct committed after award of the degree, after notice and an opportunity to be heard, if the College determines that the individual is no longer worthy of having been awarded the degree.
- **Other Actions:** Such other action as the Associate Director of the OCVCRPP or panel may reasonably deem appropriate.

In addition to, or in place of, the above sanctions, the Associate Director of the OCVCRPP or panel may assign any other sanctions deemed appropriate in a particular case, including but not limited to the following examples:

- **Educational Referral:** A referral to an on-campus resource, office, or program for a specified, violation-related purpose.
- **Restorative Practice Referral:** A referral to the Restorative Practice Team, which will identify the appropriate process/es, such as a Facilitated Dialogue or Community Circles, to address the harm and/or restore relationships and the community.
- **Apology:** Requiring the student to write a letter of apology to affected parties or the Colby community.
- **Mandated Substance Use Consultation** so the student has the opportunity to gain more insight into the student's behavior and the impact on the student and the community.

- **No contact order:** A prohibition against having contact with a person or persons under specified terms based on the particular circumstances.
- **Campus or community service:** Requiring unpaid service to the College or the Waterville community with specified hours, time frame, and type of service.
- **Restitution:** Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs, fees and expenses.
- **Housing related sanctions,** including but not limited to loss, revocation or restriction of privileges to live in College housing (e.g., exclusion from specified locations or types of residence halls; alteration of status in housing lottery), revocation of the privilege to live in off-campus housing, and other housing- related restrictions.
- **Loss of social privileges** such as attendance at or participation in campus or organization social or extracurricular events and activities, membership in an organization, etc.
- **Dean's fines** as noted in this student handbook.
- **Loss of opportunity** for leadership positions, awards, campus employment, extracurricular activities, and/or off-campus study.

## Appeals

A Respondent found responsible for a violation of the Code may appeal a finding in the Administrative Resolution Process or the finding of a hearing panel in the Conduct Board Process to the Dean of the College within ten days of the student's receipt of the written finding of responsibility. Respondents who accept responsibility for a violation/s may not appeal the findings. Complainants may also appeal such findings.

- The appeal must be in writing and sent to the Associate Director of the OCVCRP for forwarding to the Dean of the College. The student may appeal such a decision for one or more of the following reasons:
  - a significant procedural error resulting in a denial of rights under this policy or impacting the fairness of the investigation/proceedings;
  - the existence of new evidence, not available and not known during the investigation or hearing proceedings to the student, which would have significant bearing on the decision;
  - aggravating or mitigating circumstances which would affect the severity of a sanction of suspension or expulsion, but not presented to the panel. The appeal letter should contain all information, evidence and explanations to support the grounds identified in the appeal.

Decisions may not be appealed solely on the basis of dissatisfaction with the decision or sanctions imposed.

- The Dean of College will review the appeal letter and determine, generally within fifteen business days, whether to: (1) deny the appeal; (2) request that the Associate Director of the OCVCRP in an administrative investigation process or the panel in the Student Conduct Board process review new evidence, and/or address an error or violation of process, and determine whether, in the course of the review, the finding of responsible would or would not change and why; (3) make changes to the sanctions assigned by the Associate Director of the OCVCRP in an administrative process, or the panel in a conduct board process; or (4)

order a new investigation or a new panel hearing consisting of entirely different members from the Board.

- In the course of any review, new investigation or new panel hearing, new findings must be made even if the same result is ultimately reached.
- During the appeal process, the sanctions imposed remain in effect unless the Dean of the College decides otherwise.
- The Dean of the College may consult with other Colby employees as appropriate to determine the merit of the appeal.

**Disciplinary Records:** The Associate Director of the OCVRRP is responsible for maintaining appropriate records and materials involving all disciplinary cases. These records may be used by other Conduct Boards to assist in imposing sanctions in a consistent manner. Students should be aware that except as otherwise required by law, the College generally maintains records of formal disciplinary actions (including academic dishonesty) for a period of six years after graduation or date of last attendance. Disciplinary actions by the College are not noted on student transcripts, but are contained in records maintained by the Dean of Students Office. Students should be aware that certain off-campus programs, graduate schools, employers and other institutions may require the disclosure of Disciplinary Records. For students without disciplinary violations, the College will disclose that information upon request. For students with disciplinary violations, the College will only disclose that information upon specific, written consent signed by the student. For purposes of this policy, a consent form that does not specifically address the release of disciplinary information does not constitute consent. Students with questions about their educational records are encouraged to consult with their Class Dean.

**Interim Measures:** The Associate Director of the OCVRRP and other College officials have the discretion to impose interim measures upon notice of allegations of student misconduct in order to protect the health and safety of the College community. Any interim measures imposed will depend upon the circumstances of the particular case.

- **No Contact Directives:** No Contact Directives may be issued to one or more individuals involved in a particular incident, whether or not disciplinary sanctions are imposed. A No Contact Directive is used to restrict encounters and communications between individuals. No Contact Directives may be issued on a temporary or long-term basis, depending on the particular circumstances.
- **No Trespass Orders:** No Trespass Orders may be issued through Campus Security. A No Trespass Order typically prohibits the presence of an individual in one or more locations on campus and/or other properties that Colby owns, manages, or occupies. Violation of a No Trespass Order may lead to arrest and prosecution.
- **Other Interim Measures:** Other interim measures, including but not limited to temporary removal from housing, requirements to meet with counseling or other staff, or any other measure deemed appropriate in the particular circumstance may be imposed.

Such actions are not a determination of responsibility for the allegations of misconduct. Students and College employees are expected to cooperate with the Associate Director of the OCVRRP or other College officials in providing information to assist in the determination of the appropriate measures to be taken. The final decision as to whether particular restrictions or measures are reasonable or necessary under the circumstances is made by the Associate Director of the OCVRRP.

While interim measures taken pending investigations and action on allegations of misconduct, by themselves, do not constitute discipline and will not appear in a student's disciplinary record, refusal to adhere to these measures after written or oral notification of its terms is prohibited and may result in disciplinary sanctions. Unless there is continued harm or threat or a report results in disciplinary sanctions under Colby policies, interim measures may be discontinued within an appropriate period of time, depending on the facts of the particular case and as determined by the Associate Director of the OCVCRP.

When interim measures are taken, the OCVCRP will initiate a resolution process and reach a determination on alleged policy violations as soon as is reasonably practicable.

Students may appeal interim measures to the Dean of the College within ten (10) days of notice of the measures. Appeals must be in writing and must provide detailed information about why such measures are improper, unreasonable or unnecessarily burdensome. The Dean will issue a written decision regarding the appeal as soon as practicable. While an appeal is under consideration, the interim measures will remain in full force and effect unless otherwise determined by the Dean.

# RESIDENTIAL LIFE

As a residential college, Colby seeks to provide a living environment that encourages a sense of community and belonging, and that supports personal growth and learning. Residential living is an integral part of the academic program of the College; it is where intellectual stimulation continues and where students study, whether individually or in groups. Programs are also in place to enhance faculty/staff and student ties beyond the classroom.

Students are required to sign and comply with Colby's Residence Hall Agreement, which is included as an Appendix to this Handbook. The residence halls offer a variety of locations, styles and housing options, including the following:

- **Substance-free halls** provide an environment free from alcohol and other substances. Students who choose to live in substance-free halls are required to sign a pledge to adhere to this philosophy.
- **Quiet dorms** with extended quiet hours are available for interested students.
- The **Co-op in Mary Low** has access to a kitchen for meal preparation for students with special dietary restrictions.

More information about housing options is available in the Office of Campus Life.

## Support for Students in the Residence Halls

**Community Advisors:** The Community Advisor Program supports exemplary students from diverse backgrounds who work in the residence halls to ensure a seamless transition for first years and encourage community building for all students throughout the year. Community advisors (CA) plan events, conduct weekend rounds, serve as role models in educating and supporting students in complying with College policies, and assist in maintaining a safe and respectful residential environment.

**Faculty in Residence Program:** The Faculty-in-Residence (FIR) Program is designed to support and enrich the living and learning environment within the residence halls and broader campus community. Through informal and formal interactions, the faculty in residence serve as visible and engaged members of the residence hall community to foster an inclusive environment in which students can develop and grow academically, intellectually and personally.

## Residence Hall Rights and Responsibilities

Students living in a residence hall community have the right to:

- Live in a clean, sanitary and safe environment sufficiently quiet to allow for rest and study.
- Have access to one's room without the presence of "live-in" occupants who have not been assigned by the College.
- Be able to work, study and sleep in one's room without interference from the social activities of one's roommate(s) and/or friends.

- Exercise free expression, but not to harass, intimidate, bully or silence roommates or others.
- Be treated with respect and dignity.
- Have adequate security for one's person and possessions.
- Not be exposed to violations of the residence hall Conduct Expectations and Rules or Student Code of Conduct by roommates and/or friends.
- Have resources for resolving problems of community living.

Students living in a residence hall community have the responsibility to:

- Comply with the Residence Hall Agreement.
- Know and follow the Student Code of Conduct and all other College policies and rules.
- Resolve differences with others in a controlled, civil manner.
- Treat everyone with dignity and respect.
- Conduct themselves in a manner that does not violate the rights of others.
- Comply with requests of College employees.
- Watch out for the safety of fellow students and lend assistance where needed.
- Not compromise the security of the hall by propping doors, leaving windows open, etc.
- Be respectful of the social choices of others.
- Not engage in irresponsible use of alcohol, drugs, or other similar substances.
- Comply with quiet hour requirements.
- Not steal, damage, or borrow without permission the property of others.
- Act in a safe and responsible manner; observe all life safety requirements (including but not limited to refraining from accessing roofs, ledges or other unauthorized areas, and leaving the building during fire alarms/drills).
- Make reasonable efforts to live cooperatively with roommates.
- Live in the room assigned to them.
- Not allow "live-in" arrangements.
- Participate in community building activities.
- Ensure that guests comply with all policies and rules.

Violations of the Residence Hall Agreement, or the Residential Life policies and rules in this Handbook may result in disciplinary sanctions, fines, loss of housing, restricted housing, being placed at the bottom of the housing lottery, and/or other consequences. In appropriate circumstances, restorative justice practices may also be used to address conduct and residence hall concerns.

**Residence Hall Conduct Expectations and Rules:** The Student Code of Conduct applies to the residence halls. In addition, students living or visiting residence halls are expected to act in a responsible and safe manner that is respectful of fellow residents, and maintain a positive community. Students are required to comply with the following additional expectations and rules in the residence halls.

**Access to Residence Halls and Rooms by Students and Guests:** Residence halls are not public buildings; they are private residences owned and maintained by the College. All residence halls are secured 24 hours a day. The ColbyCard allows access from 7 a.m. to 1 a.m. After 1 a.m., student access is limited to the student's residence hall only. The Alford Apartment Complex is only accessible to seniors. The ColbyCard also provides access to the lobby area of the Bill & Joan Alford Main Street Commons. Access to the residential floors of the Commons is limited 24 hours a day to building residents only, through use of the ColbyCard and a unique PIN number specific to each resident. Likewise, there are restrictions

on access at the Bill & Joan Alford Main Street Commons; however, there is a person assigned to the front desk 24 hours a day.

Residents have a responsibility to help maintain the security of their residence hall by not propping doors open or allowing unauthorized persons to access the hall. Visiting a residence hall is a privilege extended by members of residence halls, and not a right. Hall staff and students are encouraged to call Security if they encounter an unknown or unauthorized person in their residence hall.

In general, with roommate permission, outside guests are allowed for no more than two nights at a time. Every resident has the right to access their own room at any time and the right to sleep at any time without visitors present. Students are responsible for the conduct and actions of their guests. However, if any College policy violations occur, the student or guests may be held individually accountable.

No one may move their possessions into a room other than the one assigned to them, nor may a student routinely spend sleeping and/or waking time in a room or location, including an off-campus location, other than the one assigned to them.

The residence halls are closed during the winter and spring recesses, except for students who have received prior authorization to remain on campus.

**Access to Residence Halls and Rooms by College Staff:** Students should be aware that while assigned rooms are generally considered private living space, the College reserves the authority and discretion to enter rooms to do student safety checks; to address health and safety emergencies; to address maintenance issues; and to conduct routine inspections of facilities and equipment. When staff visits rooms to conduct inspections or repairs during periods when students are generally present on campus, they leave a notice of their visit in the room or on the door.

Maintenance and safety inspections of all residence halls and rooms are routinely done during the academic year and scheduled breaks in the academic calendar (such as fall break, winter break, etc.). Students should also be aware that Facilities, Security, and other College employees report life safety and other policy violations they observe during authorized visits to rooms and residence halls to Security and the Dean of Students Office. Such violations may result in disciplinary sanctions, fines and/or other consequences. Students may be assessed restitution costs and/or repair costs for damages and/or room violations during the course of the year, as well as at the end of the year.

**Room Assignments:** Students are required to live in the room assigned to them by the Office of Campus Life. "Combining" rooms is not allowed. It is critically important that the College have accurate information about where students are living in case of an emergency.

Residence hall staff and others will conduct periodic checks to ensure that students are living in assigned rooms. Students who wish to change rooms or residence halls may only do so with the prior approval of the Office of Campus Life. The College reserves the right to assign and reassign rooms, or to take any other steps necessary or advisable for reasons of health, safety and operation of its residence hall program. In the event of a vacancy in a room, each room occupant agrees to accept any roommate assigned by the College. Failure to comply with these requirements may result in disciplinary action, fines and/or other consequences.

**Room Occupancy Time Limits and Check-In and Check-Out:** Except as otherwise announced by the College, residence hall rooms may be occupied by returning students no more than 48 hours before the first full day of classes in the semester, unless an exception is approved in advance by an authorized College official. Likewise, except as set forth in announcements from the college, new students may occupy their rooms on the first day of Orientation. Upon moving into a room, students are required to complete and sign a room contract and key agreement, which includes an accurate and complete record and conditions of the assigned room. This inventory serves as the basis for check-out charges, if necessary. At the end of each semester, rooms may be occupied only up to 24 hours after a student's last scheduled exam (or until after Commencement in the case of graduating seniors). Any exceptions to this time limit must be approved in advance by an authorized College official.

At the end of the year, students are required to follow the Office of Campus Life check-out procedure and are expected to leave their room in an acceptable, clean condition. If extra cleaning, repairs and/or removal of personal items by College staff is needed, the student will be assessed service charges and fines. Failure to return keys will result in charges and failure to follow the check-out procedure may also result in loss of housing privileges or other consequences.

Only students registered for on-campus January Programs or with special permission from the Dean of Students Office are permitted to live in a residence hall during the Jan Plan period.

Students who are found to be living on campus outside of authorized time periods are subject to disciplinary action, fines and/or other consequences.

**Quiet Hours:** In general, quiet hours begin at 11 p.m. on weekdays and 1 a.m. on Friday and Saturday nights, except in residence halls where residents have agreed to comply with extended quiet hours. Other temporary exceptions to quiet hours may be made in advance for sanctioned events on a case-by-case basis in accordance with College policies and procedures. All residence halls have "courtesy hours," which means that neighbors have the authority to request that music or other noise be reduced at any time and any day of the week.

Students are expected to show respect for their fellow residents, and to comply with all requests from neighbors, community advisors, faculty in residence, and Security to turn down music or to disperse a party. Generally, first offenses result in a verbal warning to residents of the room/apartment, but students may be disciplined and/or fined for any failure to comply with requests and/or repeated noise violations.

**Lock-Outs and Lost Room Keys:** Students who are locked out of their room may temporarily use a spare key from the Office of Campus Life during regular business hours. After hours, Security can assist a student in accessing their room. Lost or stolen room keys should be reported to Security as soon as possible. There is a charge for replacing keys and for keys not returned at the end of the year.

**Room Care and Damage:** Students are responsible for cleaning their own living spaces; for removing waste materials regularly to designated waste disposal bins; and maintaining sanitary and safety conditions acceptable to the College. College-owned furniture may not be removed from rooms or moved into rooms without prior permission from the Office of Campus Life. Any unauthorized moving of furniture will result in service charges, fines and/or other consequences.

Unauthorized painting; altering or damaging rooms; or actions such as creating lofts or barriers, leaving behind prohibited or unauthorized items in rooms will result in service charges to return the room to its original condition, fines and/or other consequences.

**Residence Hall Damage:** When damage or loss of College property occurs in residence hall common areas (such as lounges, hallways, lobbies, bathrooms, etc.), the College will make an effort to determine who is responsible. Students are strongly encouraged to notify the Office of Campus Life, the Security Department, or the Dean of Students Office if they know who is responsible for damaging College property. Students identified will be referred to the Office of Community Values, Conflict Resolution, and Restorative Practice for appropriate action.

### **Fire and Life Safety Requirements:**

When living in a community, students have a responsibility not only to themselves, but to their fellow students. Fire safety equipment such as smoke detectors and sprinklers are the first line of defense against fires and help to reduce the risk of harm to students. Tampering with fire safety equipment places the community at a greater risk for injury and is contrary to Colby's values. The College will take appropriate action for any unsafe or unhealthy conduct or conditions created by students. The following list provides examples of prohibited items and conduct, but it is not exclusive:

- Tampering with a smoke detector by covering it, disabling it, removing it, or hanging objects from it. Students should contact Security as soon as possible to report a smoke detector that does not appear to be functional.
- Using windows to enter or exit rooms.
- Breaking or circumventing window locks.
- Leaving exterior doors propped open.
- Tampering with electrical switches or fixtures.
- Accessing rooftops, balconies and ledges.
- Throwing or dropping objects from windows or balconies.
- Accessing interior courtyards that are not specifically authorized for student use.
- Cooking in rooms (except those facilities with kitchen facilities). No hot plates, toaster ovens, camp stoves, or any other flame-producing or heating devices are permitted.
- Possessing and/or using candles, oil lamps, or incense.
- Possessing halogen lamps of any kind exceeding 250 watts or string lights of any kind.
- Possessing and/or using fireworks, flare guns, or any other incendiary device.
- Possessing a refrigerator over 4.5 cubic feet.
- Possessing air conditioners, ceiling fans, waterbeds, satellite dishes.
- Tampering with routers or other technology devices.
- Possessing power tools.
- Covering electrical fixtures, pipes, or sprinkler heads with any item.
- Possessing natural Christmas trees or branches.
- Discharging a fire extinguisher without a bona fide reason; stealing or damaging fire extinguishers.
- Breaking exit signs.
- Tampering with locks, latches, automatic closure or key card mechanisms.
- Unauthorized copying, possession and/or use of College keys or key cards; allowing unauthorized persons to use keys or key cards.
- Failure to evacuate for fire drills or alarm.
- Pulling a fire alarm without a bona fide reason.

- Having animals without express authorization under the College's Assistance and Service Animal Policy. The only exception is aquatic animals that are properly cared for.
- Using fireplaces in residence halls.
- Smoking, "vaping," or use of any material or device that emits smoke or vapor and/or that triggers a smoke detector or fire alarm.
- Barbecue grills and other fires are only permitted outside in designated locations with prior approval of Security.
- Providing access to residence halls by unauthorized persons.
- Possessing motorcycles, motor bikes or any other motorized vehicle or device in residence halls.
- Any other conduct or item that the College reasonably deems to pose a risk to the health and safety of students and others.

Students who are found responsible for fire and life safety violations are subject to discipline, fines, restitution and/or other consequences depending on the circumstances.

**Personal Property in Residence Halls:** The College assumes no responsibility for loss, theft or damage to students' personal property, whether in a student's room, elsewhere on campus, or in storage. All items are brought to and kept on campus at the student's own risk. Families and students are encouraged to review insurance policies to ensure they are sufficient to cover a student's belongings at school. Students are strongly encouraged not to keep large amounts of cash or valuable items in residence halls or storage areas.

Students are strongly encouraged to keep their rooms locked at all times, as thefts do occur in communal living situations. In addition, students who possess prescribed medications should take care to store them securely. Thefts should be reported to Security as soon as possible.

**Storage Rooms:** Storage rooms for use during the academic year are available for students' convenience. The College does not assume responsibility for loss, theft or damage to students' personal property kept in storage rooms. These storage rooms are intended for storing trunks and packing materials, and are not intended for storing carpets, furniture and appliances.

Students must label their property with their name, class year and date stored. Items that are not properly labeled may be discarded. Items left behind by a student at the end of the year will be discarded unless a student has received prior permission to store items over the summer months (such permission is only available to students living over 750 miles from campus). Information about storage facilities in the Waterville area is available from the Office of Campus Life.

**Off-Campus Housing:** Unless granted written permission by the College, all students are required to live in College-owned housing. If granted permission to live in off-campus housing, students are expected to comply with the applicable provisions of this Handbook. Likewise, students in need of off-campus housing as part of an accommodation must apply for such housing through the Director for Student Access and Disability Services. Final approval to live off campus must be granted by the Dean of Students.

# FINES, CHARGES and RESTITUTION

**Fines are used at Colby as a deterrent; they are a means to highlight that Colby believes that certain behaviors place the community at unacceptable levels of risk.**

Fines are assessed per infraction. Students should be aware that these fines may be accompanied by charges and restitution for damage and labor costs, as well as disciplinary action and possible housing consequences based on a student's disciplinary history and other relevant factors. Fines are charged to each student involved in a violation. These tables provide information for students about the fines assessed for various types of violations.

**Safety Violations:**

Students should be aware that multiple incidents or incidents that involve significant infractions may lead to sanctions including expulsion beyond those listed in the chart below.

Prohibited Behavior	Fine
<b>Fire Safety</b>	
Tampering with, activating, pulling, discharging and/or covering any fire safety device (e.g. smoke detector, fire extinguisher, exit signs)	\$500
Possession of halogen lights, candles or any device emitting an open flame, string lights, or other unauthorized equipment and items in room (see Handbook and Residential Hall Agreement).	\$500
Possession or use of firecrackers, fireworks, explosives, explosive devices, or hazardous items	\$500
Unauthorized fire	\$500
Use of tobacco products and/or smoking any substance in residence hall	\$200
<b>Campus Safety</b>	
Discharging of a firearm	\$1,000
Unauthorized possession of a firearm	\$1,000
Accessing unauthorized or prohibited areas of campus (e.g. rooftops; courtyards, and atriums; construction sites, flag pole)	\$500

Tampering with or destroying exit signs, automatic door closure mechanisms, door/window locks/fasteners, other safety devices, or electrical fixtures, etc.	\$500, plus restitution
Duplication or unauthorized use of any key(s) or student ID to gain entry	\$500
Being in or on Entering Johnson Pond (unauthorized)	\$500
Operation of motor vehicle in unauthorized areas of campus	\$300
Climbing wall violation, which endangers others	\$100, escalating by \$50 for each violation
Violation of service and assistance animal policies, which endangers others	\$50, escalating by \$25 for each violation
<b>Residence Hall Safety</b>	
Changing rooms without authorization	\$250
Propping open exterior doors to residence halls	\$250
Tampering with elevators	\$500
Leaving furniture or personal items in hallway	\$50
Removing screens	\$100 per screen
Leaving window(s) open during school breaks/closures	\$50 per window
Unauthorized animal	\$100 plus \$50 per day of violation
Occupation of room before or after authorized use including for authorized occupant who allowed others to occupy room.	\$200 per day

**Residence Hall Charges and Restitution:**

Charges are predetermined amounts that may be assigned when college resources are required to address incidents or to repair or replace items or spaces. When restitution is assigned, the amount is calculated for the specific incident. Charges and restitution will typically be divided among the students responsible for the cost.

Lost room key or room key not returned	\$50
Replacement Colby I.D.	\$20
Lost mailroom key	\$20
Excessive trash (as determined by PPD)	\$20 per bag
Bodily fluid cleanup	\$100 per cleanup
Changing rooms without authorization	\$100 moving cost min
Combining rooms fine in addition to changing room without authorization	\$100 moving cost min
Removing College furniture from room or moving College furniture to room without authorization	\$100 moving cost min
Painting/altering room; unauthorized loft/barriers	Restitution
Damage to room beyond normal wear and tear	Restitution
Damage to property / Vandalism	Restitution

*Please note that the Associate Director of the OCVCRP in consultation with others in the Dean of the College staff may reduce fees and/or require service in lieu of charge based on the circumstances.*

# APPENDICES

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Colby accords its students all rights under The Family Educational Rights and Privacy Act of 1974. The College will not disclose information from students' education records without the written consent of students except as permitted by the Act. Situations in which the College may disclose information from education records without consent include disclosure to school officials who have a legitimate education interest (reviewing an education record in order to fulfill his or her professional responsibility) in the records.

At Colby, only those persons acting in the student's educational interest are allowed access to student education records. These include personnel in the offices of the Dean of College, Registrar, Admissions, Student Financial Services, Career Services, Institutional Research, and to faculty members within the limitations of their need to know. This includes faculty liaisons who serve as academic advisors to varsity athletic teams and their coaches. At its discretion, the College may disclose Directory Information in accordance with the provisions of the act. Please visit the [U.S. Department of Education's website](#) for details.

### **Directory Information:**

Directory Information consists of the following:

- Student's name (chosen, preferred, or selected)
- Address
- Telephone number
- Electronic mail address
- Photograph
- Date and place of birth
- Major and minor fields of study
- Grade level
- Enrollment status (e.g. full-time or part-time)
- Weight and height of members of athletic teams
- Dates of attendance
- Degrees and awards received
- The most recent educational agency or institution attended.

As a student at Colby, your Directory Information may be included in publicity about the College. In addition, press releases containing accomplishments and other Directory Information (e.g. dean's list, graduation, other honors or activities) may be sent to local or hometown newspapers and other media unless the student has completed the request to withhold Directory Information with the Registrar's office.

Students may withhold Directory Information by contacting the Registrar's office within 10 days after the first day of classes for the student's first semester of the academic year. Requests for nondisclosure will be honored by the institution for only one academic year; therefore, authorization to withhold Directory Information must be filed annually.

Colby may disclose personally identifiable information without student consent to the following parties: (i) school officials with legitimate educational interests as described above; (ii) U.S. Comptroller General, U.S. Attorney General, U.S. Department of Education state and local officials; (iii) authorized organizations conducting educational research; (iv) accrediting agencies; (v) alleged victim of a crime; (vi) parent of a dependent student as defined by the IRS; and (vii) parent of a student under age 21 regarding the violation of a law regarding alcohol or drug abuse.

Colby may disclose information pursuant to any court order or lawfully issued subpoena if Colby makes a reasonable effort to notify the student of the order or subpoena in advance of compliance, so that the student may seek protective action (unless the court or issuing agency has prohibited such disclosure). Additionally, Colby must comply with FERPA's recordkeeping requirements when disclosing information pursuant to a standard court order or subpoena.

Except under one of the special conditions described above, a student must provide a signed and dated written consent before Colby may disclose personally identifiable information from the student's educational records. The written consent must: (i) specify the records that may be disclosed; (ii) state the purpose of the disclosure; and (iii) identify the party or class of parties to whom the disclosure may be made. A signed and dated written consent may include a record and signature in electronic form that: (i) identifies and authenticates a particular person as the source of the electronic consent; and (ii) indicates such person's approval of the information contained in the electronic consent. If a student so requests, Colby must provide the student with a copy of the records disclosed.

Students may inspect their education records, challenge any content, have a hearing if the outcome of the challenge is unsatisfactory and submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panel are unsatisfactory. Student education records at Colby are maintained in the offices of the Dean of College, Registrar, Student Financial Services (Garrison-Foster), and Career Services.

Students wishing to examine their education records must make written requests to the appropriate office listing the item or items of interest. Only records covered by the act will be made available within 45 days following the receipt of request. Students may have copies made of their records, except for an academic record for which a financial "hold" exists or a transcript of an original or source document which exists elsewhere. Copies will be made at the student's expense at prevailing rates.

Educational records do not generally include the records of instructional, administrative, and educational personnel or Department of Security records, student health records, employment records, or alumni records. Physicians of the student's choosing, however, may review health records.

Students may not inspect the following as outlined by the act: financial information submitted by their parent/guardian; confidential letters and recommendations associated with admissions, employment, job placement, or honors to which they have waived their rights of inspection; or education records containing information about more than one student, in which case the College will permit access only to that part of the record which pertains to the inquiring student.

Students who believe that their education records contain information that is inaccurate or misleading may discuss the matter with the chief administrator of the office involved. If that

person is in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended and will be informed of their right to a formal hearing.

Requests for a formal hearing must be made in writing to the Dean of College, who, within a reasonable period, will inform students of the date, place, and time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of their choice, including attorneys, at the student's expense. The hearing panel will be comprised of the student's faculty adviser, a representative of the Dean of College, and the Provost and Dean of Faculty.

Decisions of the hearing panel will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be released whenever the records in question are disclosed.

Students who believe that the adjudication of their challenges were not in keeping with the provisions of the act may request, in writing, concerning the alleged failures of Colby to comply with the Act. Further, students who believe that their rights have been abridged may file complaints in writing to the following address: U.S. Department of Education, [Family Policy Compliance Office](#), 400 Maryland Ave., SW, Washington, DC 20202-4605, email: [ferpa@ed.gov](mailto:ferpa@ed.gov).

## **FEDERAL AND STATE POLICIES ON ALCOHOL AND ILLEGAL DRUG**

Because Congress and the Maine legislature amend federal and state laws from time to time, students are urged to conduct their own research or consult an attorney for the latest information on the state of these laws and regulations.

**Drug-Free Workplace Act:** In November of 1988, the United States Congress enacted the Anti-Drug Abuse Act which contains a section called the "Drug-Free Workplace Act of 1988". This section requires organizations receiving federal grants and contracts to insure that their workplaces are free from illegal use, possession, manufacture or distribution of controlled substances. The law requires employers who receive federal funds to: (1) notify employees that drug abuse is prohibited in the workplace; (2) establish a drug-free awareness program; and (3) require each employee to notify the College of any criminal conviction for violations occurring in the workplace, and impose sanctions or remedial actions for convicted employees.

This law also requires individuals who receive federal funds to certify to the contracting or granting agency that, as a condition of the grant, the individual will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity under the grant. This requirement also applies to students who are recipients of Pell Grants. By signing the certification required for eligibility under the Pell Grant Program, a student is agreeing not to engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period covered by the student's Pell Grant at all times. A Pell Grant recipient convicted of a criminal drug offense must report the conviction, in writing, within ten calendar days of the conviction to the Director, Grants and Contracts Service, U.S. Department of Education.

Any employee convicted of any workplace-related criminal drug violation must notify the appropriate College official within five calendar days after conviction. Faculty should contact the Dean of Faculty and staff should contact the Director of Human Resources. Failure to report a conviction may be grounds for termination of employment.

Violations of the Drug-Free Workplace Act may result in: (1) disciplinary action, up to and including termination of employment; (2) suspension of payments under the grant; (3) suspension or termination of the grant; and (4) suspension or debarment of the grantee.

**Drug-Free Schools and Communities Act:** The Drug-Free Schools and Communities Act Amendments of 1989 require Colby to certify that it has 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 an institution's property or as any part of the institution's activities;
- a description of the applicable legal sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs or 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 program 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 violation of the standards of conduct.

The Act requires Colby to review program effectiveness on a periodic basis.

**Disciplinary Sanctions:** Students, faculty and staff who violate Colby policy will be subject to disciplinary action by the College as set forth in the Handbook.

## **Maine Law on Alcohol**

**Furnishing Liquor to a Minor or a Visibly Intoxicated Person:** Maine law makes it a crime for any person to knowingly give liquor to a minor or a visibly intoxicated person or to allow any minor under that person's control or in any place under that person's control to consume liquor. Violation of this law can result in a minimum fine of \$500 and up to six months in jail.

**Illegal Sale of Liquor:** It is a crime to sell liquor without having a liquor license issued by the Maine Bureau of Alcoholic Beverages. Violation of this law can result in fines of \$500 plus 30 days in jail for the first Offense. Subsequent offenses are punished by greater fines and jail time.

**Illegal Possession with Intent to Sell:** Any person who possesses liquor with the intent to sell it is in violation of Maine liquor laws and subject to a fine of between \$100 and \$500, and possible incarceration from two to six months.

**Seizure and Forfeiture of Vehicle:** Any vehicle used to transfer liquor intended for illegal sale may be impounded at the time of the violation or seized following the violation.

**Special Liquor Laws Relating to Minors Illegal Possession of Liquor:** Any minor (a person under the age of 21 years) who is found to be in possession or control of alcohol is guilty of a civil infraction and shall be subject to a fine of: (1) 1st offense, \$200 to \$400; (2) 2nd offense, \$300 to \$600; and (3) 3rd and subsequent offenses, \$600.

**Teen Drinking Laws:** An individual under the age of 21 years shall have that individual's license suspended for one year if he/she operates a motor vehicle with a blood alcohol concentration of .00, Maine has a zero-tolerance law regarding operating under the influence by minors. Refusal to submit to a chemical test will result in a one-year suspension of a driver's license. One can of beer, one glass of wine or one ounce of distilled spirits can result in a blood alcohol level of .02 or more.

**Illegal Transportation:** No minor shall transport alcohol in a motor vehicle except in the scope of the person's employment or with the parent's knowledge or consent. The penalty is a 30-day driver's license suspension. A reinstatement fee will be charged to get a license reinstated. Points will be assessed against the offender's license. A fine of \$500 may be imposed.

**Operating Under the Influence:** Maine law prohibits drinking while operating a motor vehicle. Any person who violates this law commits a civil violation for which a maximum fine of \$500 may be imposed. Maine motor vehicle law makes it a crime for any person to operate a motor

vehicle in Maine under the influence of alcohol or drugs or with an excessive blood alcohol level. Penalties for operating under the influence are as follows: (1) 1st Conviction: If your blood-alcohol content is .08 to .14 percent a fine of at least \$500 and loss of license for at least 90 days. Refusal to be tested results in a loss of license for 180 days; (2) If your blood-alcohol content is .15 percent or more, or you are traveling 30 m.p.h. or more over the speed limit, or you attempt to elude an officer of the law, or you refuse to submit to a blood test a fine of at least \$500, at least 48 hours in jail, and loss of license for at least 90 days. Penalties for second and subsequent convictions include greater fines and mandatory jail time.

**Vehicle Seizure or Forfeiture:** A person operating under the influence while under suspension for a previous OUI or refusal, is subject to vehicle seizure and forfeiture.

**Maine Liquor Liability Act:** The Maine Liquor Liability Act serves to prevent alcohol related injuries, deaths and other damages among Maine's population. This law makes one liable civilly for the negligent or reckless service of alcohol to a minor or to a person who is visibly intoxicated. Monetary damages may be awarded for the negligent or reckless serving of alcohol, which causes property damage, bodily injury or death.

**State Drug Offenses:** Maine law prohibits the knowing, intentional and unauthorized possession, furnishing (distributing or giving away) and trafficking (selling) of scheduled drugs. Scheduled drugs include, for example, cocaine, marijuana, lysergic acid diethylamide (LSD), heroin, and steroids.

**Definitions:**

**Furnish Drugs:** To furnish drugs is to give the drugs to another, dispense it, administer, or transfer it to another regardless of profit.

**Trafficking:** Trafficking is to sell, barter, trade, exchange or furnish an illegal drug for consideration.

**Aggravated Trafficking:** Aggravated Trafficking in an illegal drug can be "aggravated" if the crime of "trafficking" is committed with facts that include the following "aggravating factors": (1) trafficking while within 1,000 feet of an elementary or secondary school, regardless of whether the sale took place in a private home or whether the school was in session; (2) trafficking while on a school bus; (3) trafficking involves a minor (under 18 years of age); (4) trafficking in 112 grams (approximately 4 ounces) or more of cocaine; and (5) trafficking involves a firearm. Aggravated trafficking is a crime one class more serious than trafficking and consequently carries longer terms of imprisonment and greater fines.

**Substance Abuse Policy:** Students, faculty, and staff are responsible individuals and thus expected to obey the law and take personal responsibility for their conduct. Colby recognizes that substance abuse is a complex problem that is not easily resolved solely by personal effort and may require professional assistance and/or treatment. Accordingly, the College has designated a number of individuals to assist students, faculty, and staff who seek referral for assistance with a substance abuse problem. Students, faculty, and staff with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling, and prevention services. However, those seeking assistance will not be granted special privileges or exemptions from standard human resources practices applicable to job performance requirements and from standard academic and student conduct requirements.

Colby will not excuse acts of misconduct committed by students, faculty, and staff whose judgment is impaired due to substance abuse.

**Federal Drug Offenses:** The criminal offenses most commonly charged under the Federal Controlled Substances Act are the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with the intent to manufacture, distribute or dispense. Federal law also prohibits the knowing, intentional, and unauthorized creation, distribution, dispensing, or possession with intent to distribute or dispense a "counterfeit substance." Simple possession without necessarily an intent to distribute is also forbidden by federal law and carries a penalty of imprisonment. Furthermore, "attempts" and/or conspiracies to distribute or possess with intent to distribute controlled substances are crimes under federal law. Federal law prohibits certain specific drug crimes which carry greater penalties, including the: (1) distribution of narcotics to persons under 21 years of age; (2) distribution or manufacturing of narcotics near schools and colleges; (3) employment of juveniles under the age of 18 in drug trafficking operations; and (4) distribution of controlled substances to pregnant women.

**Federal Penalties:** The penalties for violating federal narcotic statutes vary considerably. The penalties may be harsher based on two principal factors, specifically, the type of drug involved (heroin, cocaine, marijuana, LSD, etc.) and the quantity of the drug involved. With the exception of simple possession charges which result in up to one-year imprisonment, maximum penalties for narcotic violations range from 20 years to life in prison. Certain violations carry mandatory minimum prison sentences of either five years or ten years. For example, the possession with intent to distribute one kilogram or more of a substance containing a detectable amount of heroin carries a term of imprisonment of a 10-year minimum and up to life imprisonment. The possession with intent to distribute 500 grams or more of a mixture or a substance containing a detectable amount of cocaine carries a sentence of not less than five years and not more than 40 years.

Harsher penalties will be imposed if a firearm is used in the commission of a drug offense. If a drug offense results in death or serious bodily injury to an individual who uses the drug involved, the penalties are also harsher. Questions sometimes arise as to what amount of narcotics found in the possession of a person is considered to be for personal use as opposed to the more serious offense of possession with intent to distribute. You should be aware that federal law, as a general rule, considers anything more than a dosage unit with regard to any particular drug as being sufficient from which to infer an intent to distribute. In other words, the greater the quantity possessed by the individual, the more likely it is that an individual possessed such quantity with an intent to distribute.

# ASSISTANCE DOG AND SERVICE ANIMAL POLICY

## Definitions

An “assistance animal” is a category of animal that may work, provide assistance, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual’s disability, but which is not a “service animal” as defined above. An assistance animal may be professionally trained, but in other cases assistance animals provide the necessary support to individuals with disabilities without any formal training or certification. Dogs are commonly used as assistance animals, but any animal not prohibited by the State of Maine may serve a person with a disability as an assistance animal subject to the handler’s adherence to campus procedures. An assistance animal is sometimes referred to as a companion animal, therapy animal or emotional support animal.

A “service animal” is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. A service animal may be eligible to provide campus-wide assistance to the student with a disability. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of such work or tasks include, but are not limited to, assisting an individual who is totally or partially blind with navigation and other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to an individual with a mobility disability and helping a person with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition.

## Procedure to Request Assistance Animal

Requests for approval of an assistance animal are to be made to the Office of Campus Life and must be made *prior* to bringing an assistance animal to campus. For upper class/returning students, requests for an assistance animal must be submitted by the housing accommodation deadline each year in February for the following academic year. Incoming first year students must submit requests at least *60 days* prior to the onset of the academic year. Requests made after that time may not be honored, although the Office of Campus Life will make a good faith effort to support a student’s late request.

If the student’s disability and/or need for an assistance animal are not obvious, the student must provide written verification from a reliable third party that the student has a disability. The third party must also verify that an assistance animal *is necessary* to provide the student an equal opportunity to use and enjoy College housing and that no other form of accommodation would effectively address the student’s disability-related need. Colby may require students to sign a release to enable the campus to confer with the third party as to the functional limitations of the disorder, the student’s ability to manage an animal in residence and/or whether the student’s disability-related needs may be met in some other manner.

A reliable third party is someone who is familiar with the individual's disability and the necessity for the requested accommodation. A reliable third-party includes, but is not limited to, a doctor or other medical professional, a therapist who has treated the individual, or a non-medical service agency (e.g., American Council of the Blind of Maine). Documentation submitted by an internet service which has not treated the individual will not be considered.

Colby College will not retaliate against any person because that individual has requested or received a reasonable accommodation for an assistance animal.

### Criteria for Determining If Presence of the Assistance Animal is Reasonable

Colby may consider the following factors, among others, as evidence in determining whether the presence of an assistance animal is reasonable and in the making of housing assignments for individuals with assistance animals:

1. The size of the animal and whether it is too large for available assigned housing space;
2. If the animal's presence would force another individual from individual housing (e.g. serious allergies);
3. If the animal's presence otherwise violates an individuals' right to peace and quiet enjoyment;
4. If the animal is not housebroken or is unable to live with others in a reasonable manner;
5. If the animal's vaccinations are not up-to-date;
6. If the animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or
7. If the animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

Residential life at Colby is unique in several ways, including the assignment of roommates for many students and the mandate that individuals must share a room or suite in certain residence halls. To ensure that the presence of assistance animals is not an undue administrative burden or fundamental alteration of College housing, Colby reserves the right to assign an individual with an assistance animal to a single room without a roommate.

A request for an assistance animal also may be denied as unreasonable if the presence of the animal imposes an undue financial and/or administrative burden; fundamentally alters College housing policies; and/or poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including Colby property, or accommodating the assistance animal would be otherwise unreasonable. Colby does not limit room assignments for individuals with assistance animals to any particular building or buildings.

### Access to Colby Facilities by Assistance Animals

An assistance animal must be contained within the student-owner's privately assigned individual living accommodation (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an assistance animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Assistance animals are not allowed in any Colby facilities other than the residence hall to which the student is assigned. An assistance animal is allowed only in the student's residence hall, and is not permitted in other College areas (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, Cotter Union, etc.).

## Student-Owner's Responsibilities for Assistance Animal

The assistance animal must be properly housed and restrained or otherwise under the dominion and control of the student-owner at all times. No student-owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

The student-owner is solely responsible for the custody and care of the assistance animal. The student-owner:

1. Must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. Colby has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate and licensing by the City of Waterville or the student-owner's municipality of residence.
2. Is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner.
3. Is required to ensure the animal is well cared for at all times. Evidence of mistreatment or abuse may result in immediate removal of the assistance animal. Mistreatment or abuse of an assistance animal is also a violation of the Colby Code of Student Conduct.
4. Will be charged for any damage caused by the assistance animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear.
5. Is subject to inspection of his/her living accommodation for fleas, ticks or other pests if necessary. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a College-approved pest control service. The student-owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
6. Is responsible for ensuring the assistance animal is contained as appropriate when the student-owner is not present in the residence hall during the day, and may not leave the animal overnight in the living accommodation to be cared for by another; the animal must accompany the student-owner away from campus overnight. IMPORTANT: Students who wish to participate in extracurricular activities in which staying away overnight may be an element should carefully consider what arrangements for the animal's off-campus care can be made while the student is away.
7. Acknowledges that the assistance animal is allowed in College housing only as long as necessary because of the student-owner's disability, and will notify Campus Life in writing if the assistance animal is no longer needed or is no longer in residence.

## Removal of Assistance Animal

Colby may require the student-owner to remove the assistance animal from Colby housing if the animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others; the animal's presence results in a fundamental alteration of a College program; the student-owner does not comply with the Student-Owner's Responsibilities set forth above and/or with the agreement s/he must sign as a condition of having an assistance animal; or the animal or its presence creates an unmanageable disturbance or interference with the Colby community.

## Service Dog Procedures

Members of the public and students who do not reside on campus are authorized to be accompanied by service animals as defined above. All students residing on campus who wish to have a dog in residence as a service animal must register with the Office of Campus Life. The necessity of such registration is to facilitate a residence hall assignment consistent with supporting a student's use as well as the potential impact on other residential community members.

If an individual's disability and need for a service animal are not obvious, the campus may request whether the individual requires a service animal dog because of a disability and describe the work or task the dog has been trained to perform. The animal must always be under the control of the handler via leash or tether unless the nature of the individual's disability prevents such control or the work or task cannot be effectively performed while under such control. Nonetheless, in these situations, the animal must always be under voice or hand signal control.

Colby College will not retaliate against any person because that individual is accompanied by a service animal.

### Service Animal Eligibility Criteria

A student is permitted to have a service animal on campus without restriction, unless:

1. The presence of the dog imposes an undue financial and/or administrative burden;
2. The presence of the dog fundamentally alters the College's educational or housing programs (including, but not limited to, excessive barking in a residence hall or classroom);
3. The service animal poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including Colby property;
4. The dog is not housebroken or is unable to live with others in a reasonable manner;
5. Vaccinations are not up-to-date, or the service animal is not licensed as required by law.
6. Accommodating the service animal would be otherwise unreasonable;
7. Access to a particular area of the campus would present a legitimate safety risk to the individual with a disability, the dog or others. Examples of such restricted areas may include but are not limited to the following:
  - a. Areas of food preparation (versus dining areas)
  - b. Research areas where a dog's presence may compromise the research
  - c. Science laboratories if evidence supports a danger of harm to the animal due to exposure to chemicals or other hazardous elements/equipment

### Visitors to Campus with Service Animals

Visitors to campus are permitted to bring their service animal, as defined by this policy, to any building or facility where visitors are permitted. The following guidelines shall apply to service animals accompanying visitors:

1. In situations where it is not obvious that the dog is a service animal, staff may only ask two specific questions: (i) is the dog a service animal required because of a disability?; and (ii) what work or task has the dog been trained to perform?
2. Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.

3. Service animals are not exempt from local animal control or public health requirements, including vaccination, licensing, and registration.
4. Service animals must be under the control of the handler at all times. The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.
5. Under control also means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place.
6. If a particular service animal is out of control and the handler does not take effective action to control it, or if it is not housebroken, staff may request that the animal be removed from the premises. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to remain without the animal's presence.
7. The Americans with Disabilities Act (ADA) does not override public health rules that prohibit dogs in swimming pools. However, service animals must be allowed on the pool deck and in other areas where the public is allowed to go.

## RESIDENCE HALL AGREEMENT

This Residence Hall Agreement sets forth the governing principles of residential life in the residence halls at Colby College. The Residence Hall Agreement is not a contract, and the College reserves the right to make changes to the Residence Hall Agreement at any time.

The College will furnish housing and food services (except in the cooperative living unit in Mary Low) in the residence halls, under the terms and conditions herein stated, and as described in the information materials which accompany this statement, or which may later be issued by the College and are by reference made a part of this agreement. Those documents include the Colby College Catalogue and the Colby College Student Handbook.

1. **Nondiscrimination Statement** Colby College housing policies and programs prohibit discrimination on the basis of age, race, color, religion, national or ethnic origin, caste, sex, sexual orientation, gender identity, genetic information, pregnancy, parental or marital status, political beliefs, veteran or military status, or disability unrelated to job or course of study requirements, and other protected categories under applicable local, state and federal law.
2. **Liability** The College assumes no liability directly or indirectly for loss of or damage to personal property by fire, theft, or any other cause. In addition, the College assumes no liability for items stored in trunk rooms during the course of the academic year or over the summer. **Students should note that the College does not carry insurance to protect student personal property and, as such, cannot be held liable in the event of students' property being damaged, lost or stolen from any College-owned or maintained buildings. Students should seek coverage for their belongings through their family homeowner's insurance policy or a student housing insurance policy.**
3. **Eligibility** Occupancy of residences is limited to registered, full-time Colby College students in good standing and others affiliated with the College who may be assigned by the Dean of Students Office.
4. **Payments** All charges are placed on the semester bill and are subject to semester provisions for payments.
5. **Room Assignment Term** The term of this agreement is for the Academic year when you are on campus. Room and board assignments are made on the basis of a full academic year, subject to earlier termination, only in the event of the student's withdrawal, or completion of residence requirement, or dismissal from College or from the campus residences.
6. **Termination** The College reserves the right to terminate, without refund, the privilege of on-campus residence for any student found in violation of College regulations or acceptable standards of behavior. If the College determines that the continued presence of a student in a residence hall presents an unreasonable risk of harm or disruption to the student or others, the College may cancel a student's room assignment and remove the student from the residence hall without notice or an opportunity to be heard. In the event that a room assignment has been made based upon a leadership position (i.e., hall staff, elected positions), resignation from or loss of the position may result in reassignment of all room occupants.

The student will make payment of fees for housing and food services at the rate set by the College, will observe all rules and regulations of Colby College, and will comply with the terms and conditions stated in this Residence Hall Agreement.

## **Room Assignment, Care, and Safety**

1. **Room Assignment Policy:** Continuing residents will be given the opportunity to select their rooms in accordance with the selection procedure designed by the Office Campus Life and approved by the College Affairs Committee. New students will be assigned to residences by the Office of Campus Life. The College reserves the right to assign and to reassign rooms, or to affect any other steps necessary or advisable for reasons of health, safety and conduct of its residence hall program. In the event a vacancy should occur, each room occupant agrees to accept any roommate may be assigned by the College. A room assignment cannot be assigned by the student to any other person.
2. **Occupancy:** Residence hall rooms may be used by returning students 48 hours before the first full day of classes in any semester. New students may occupy rooms on the first day of Orientation. At the end of a semester, rooms may be occupied up to 24 hours after a student's last scheduled exam. Only students who are registered for on-campus Jan Plan or who have obtained special permission from the Dean of Students may be permitted to live in the residence hall during the Jan Plan period. College ID cards will be inactivated for those students not entitled to occupy the residence hall during Jan Plan and those students who withdraw from a course after the first day of Jan Plan. Residence and dining halls are closed during the winter and spring vacation periods listed in the College Academic Calendar.
3. **Check-in:** Upon moving into a room, the resident will complete and sign a room contract and key agreement, which will be an accurate and complete record of the contents and conditions of the assigned room. This inventory will serve as the basis for checkout charges if assessed.
4. **Room Changes:** Room changes are permitted after October 15. However, the student may change a residence hall room assignment only with prior written authorization by the Office of Campus Life. Unauthorized room or residence hall changes or failure to move out of a room at the designated time may result in a fine and disciplinary action for all students involved in the room change(s).
5. **Combining Rooms:** Students are prohibited from "combining" rooms. That is, groups of students from more than one living unit may not relocate all beds into one room and use the second room as social space. Students who combine all furnishings to create a bedroom/social room arrangement will be required to immediately return all furnishings to their original location. Disciplinary action and fines may be applied.
6. **Room Care:** The student is responsible for cleaning the student's own room, suite, or apartment, for removing waste materials regularly, and for maintaining sanitation and safety conditions acceptable to the College. Furniture may not be removed from rooms and communal areas to which it has been allocated. A fine and disciplinary action will automatically result for students who remove furniture from its assigned building or who fail to return furniture to its proper location when requested to do so. Unauthorized painting or altering rooms will result in charges to restore the room to its original condition at the end of the year or at an earlier time as determined by the Physical Plant Department and/or the Office of Campus Life. It is expected the students will return the room to the College in "broom clean" condition, free of any debris. Violators are subject to the assessment of fines.
7. **Damages in Residence Hall Rooms and in Residence Hall Common Areas:** Liability for damage or loss of College property located within individual residence hall rooms lies with

the individual who caused the damage. If individual responsibility cannot be determined, liability for damage lies with the resident(s) of the room. When damage or loss of College property occurs in residence hall common areas (e.g., lounges, hallways, lobbies, bathrooms), the Office of Campus Life makes every effort to identify the individuals responsible and bill them for the cost of repair. In cases where the Office of Campus Life determines that responsibility lies with the residents of a specific section of a residence hall, those students will be billed. When the individuals responsible for damage or loss of College property cannot be identified, the cost of repair or replacement is assigned to all occupants of the residence hall. At the end of each semester, the Physical Plant Department determines the cost of all unidentified damage and loss of College property and the residents of each residence hall are billed on a pro rata basis.

8. **Check-out:** The student agrees to follow the proper check-out procedure when vacating their room, apartment or suite, which includes a mandatory check-out with a member of the residential life staff, removing waste and debris, and leaving the room in acceptable, clean condition. Should extra cleaning be required, a service charge and fine will be assessed to the students. Any items left in a room after a student has vacated that room will be discarded. Failure to check out properly may result in fines and loss of room assignment for the following year.
9. **Room Entry by College Personnel:** There are times when it is **necessary for Campus Life staff to enter a student's room when the student is not present**, or when the student has not invited the hall staff member in. This practice will be exercised only:
  - a. When there is an immediate danger to the persons or contents of the room.
  - b. To ensure evacuation during fire alarms and drills, or any other emergency situations.
  - c. To ensure adherence to fire safety rules, such as, but not limited to, no open flames or cooking; no covered smoke detectors; no smoking, etc.
  - d. At the request of the Office of the Dean of Students (e.g., to determine that a student has arrived for a fall or spring semester; or a student has left for, or returned safely from a vacation period, and welfare checks.).
  - e. Before vacation periods to secure the residence halls.
10. **Safety and Maintenance Throughout the Year:** The Facilities Service Department (FS), other authorized employees, or escorted outside contractors, do not provide written notification prior to conducting routine maintenance work (such as responding to heat or cold calls; closing windows in cold weather; conducting repairs of windows, walls, ceilings, floors, electrical devices, and fixtures; painting; removing unwanted or damaged furniture; gaining access to concealed plumbing; and other maintenance work). A notice will be placed on the door or inside the room, notifying resident(s) of FS's visit.
11. **Fire Safety:** Because of the ever-present danger of fire in the residence halls, the College takes the issue of fire safety very seriously. Students should refer to the Student Handbook for a list of prohibited items. Students found in possession of prohibited items will be subject to fines and disciplinary action.
12. **Food Preparation in Rooms:** Cooking is not permitted in student rooms. No hot plates, electric heaters, toaster ovens, camp stoves, or other flame-producing or open-heating devices such activities may result in fines and disciplinary action.
13. **Guests:** Students are responsible for their guests. However, if any College policy violations occur, the student or guests may be held individually accountable.
14. **Pets:** Dogs, cats, birds, rodents, and other air-breathing, non-aquatic animals, are not permitted in student rooms, suites, or apartments, or in residence hall common areas unless service or assistance animal with prior permission.
15. **Pregnant students:** Pregnant students may reside on campus during pregnancy. The student must maintain contact with the Garrison-Foster Health Center to discuss prenatal

care, arrangements for labor and delivery, and transportation to the hospital. Children of students are not permitted to reside in the residence halls, as student residence hall rooms and facilities do not provide a suitable environment for children.

16. **Student Entrepreneurs:** Business may not be operated from/in student rooms without the written permission of the director of campus life. Students receiving permission to operate a business will not be allowed to use Colby's phone, mail, or technology infrastructures for business purposes.
17. **Theft:** All thefts should be reported immediately to the Department of Security.
18. **Smoking:** Colby is a smoke-free campus, this includes tobacco, electronic nicotine delivery devices, and the like.

## DIGITAL MILLENNIUM COPYRIGHT ACT (DMCA) COMPLIANCE

As a computer network service provider for students, staff, and faculty, Colby College complies with the provisions of the Digital Millennium Copyright Act (DMCA). The DMCA is a federal law that, in essence, updates copyright law for the digital age. The Code of Ethics for Information Technology at Colby (available at:) addresses the issue of copyright infringement in more detail, and students are encouraged to be familiar with it. The College takes a strong stand against actions that would infringe someone's copyright. Perhaps the most common cause of copyright infringement in the digital context is the use of peer-to-peer file sharing services, which are often used to share copyrighted music and movies. Other common examples of actions that can lead to copyright infringement are copying and sharing computer software without paying for a copy or otherwise having proper permission to do so, and making copies of and/or sharing copyrighted texts or other written materials without permission or a license. Any student who wishes to copy and use any copyrighted material must obtain permission from the copyright owner first, where necessary. The DMCA also makes it illegal to circumvent technological protection measures used by copyright owners to protect their works. The DMCA requires that the College takes certain steps, including removing a student's access to copyrighted material, to avoid liability for the College when evidence of activity that may infringe a copyright is brought to its attention or it becomes aware of apparent copyright infringement. The College has adopted a policy to implement procedures required by the DMCA called "Implementation at Colby College of Procedures Required by the Digital Millennium Copyright Act of 1998," a copy of which is available on the College's website.

Students are encouraged to review and be familiar with these procedures. If the College is notified, or becomes aware, of a claim of copyright infringement, it will follow the procedures set out in Implementation at Colby College of Procedures Required by the Digital Millennium Copyright Act of 1998, including the following procedures that relate most directly to students:

- Students who may be responsible for copyright infringement based on notice(s) the College receives from copyright owners will be notified by the College.
  - The fact that a particular student or students has been identified as the person or people who may have violated a copyright owner's rights will not be provided to the person or company that sent the infringement notice to the College or any other outside entity except as required by law (such as through a court order or subpoena).
  - Disciplinary action may be initiated against a student or students as described in the Code of Ethics for Information Technology.
- The College will promptly remove or otherwise block access to any material described in the infringement notice. This may require, among other things, the College to discontinue a student's or students' access to the computer network for a period of time.
- Legal action may occur between the copyright owner and the alleged copyright infringer even if access to the material has been removed.
- Students may file a counter notification with the person or company that initially notified the College of infringement. However, students should keep the following in mind when considering whether or not to do so:
  - Filing a counter notification almost always leads to litigation;

- The College strongly encourages students to seek the advice of an attorney before submitting a counter notification and, more generally, to seek the advice of an attorney if the student is accused of copyright infringement.
- The College will not provide assistance in any ensuing litigation.
  
- The College does not routinely inspect material(s) made available by individuals and groups to students through its networks, although it has, and reserves, the right to do so.
- Students are responsible for any content they provide and are subject to campus disciplinary action, as well as potentially prosecution under state and federal laws, if such content violates any College rules and/or state and federal law(s).
- Repeat infringers may have their accounts terminated (see the Code of Ethics for Information Technology for more information about this).

Questions about the DMCA or the College's compliance procedures should be directed to the Administrative Vice President or Director of ITS.

## MARKETING, COMMUNICATIONS AND EVENTS

**Marketing and Promotions Banners:** Banners may be displayed in select locations on campus with prior approval from the Office of Campus Life. Groups or individuals who violate this policy may be subject to fines and/or disciplinary action.

**Posting, Display, and Distribution of Materials Policy:** Posting, display, and/or distribution of flyers, posters, notices, religious symbols and other materials is permitted within and on the doors of individual offices and student rooms, provided that they are agreed to by all of the occupants of the particular space and do not violate other College policies.

All other spaces on the campus are considered public, and posting, display or distribution of materials in such areas must be done in an authorized area (including bulletin boards and special display areas designated from time to time by the College) or have specific authorization from the appropriate administrative supervisor. Content of materials must not violate any College policies. Whenever posters or displays are permitted in public areas, their placement should allow room for the proportionate display of other symbols or materials promoting other traditions or points of view. Materials may not be affixed to painted walls, doors or windows.

Display of materials in the central academic quadrangle shall be permitted only in exceptional cases. Posters or other materials produced using College funds or resources must identify the sponsor.

It is expected that individuals, clubs and organizations will remove posted materials after the event. Clubs and organizations misusing posting space will lose the designated space. Violations of this policy may result in fines and/or disciplinary action.

The College reserves the authority to remove any materials that violate this or other College policies.

**Chalking Policy:** On occasion, student organizations or individual(s) may seek to promote public awareness on issues and concerns by “chalking” various areas of the campus grounds. Chalking may be done on walkways or roads (not steps or buildings) provided the following guidelines are followed.

1. The sponsoring group or individual must reserve the space to be chalking with the Office of Campus Life at least 24 hours in advance and by 4 p.m. Monday through Friday.
2. No permanent markers, spray paint or other non-washable materials may be used.
3. Organizations or individual(s) responsible for chalking must clean the area by the following Sunday. There will be a fine for groups or individuals who do not remove chalking(s).
4. Groups or individuals who chalk without reservations will be fined \$250 and the chalking will be removed.
5. Messages that constitute harassment in violation of college policy, or that violate the law, or any other college policy are not permitted.
6. Individuals or groups who violate this policy are subject to disciplinary action, in addition to any fines imposed.

The Dean of Students Office reserves the right to rescind the chalking policy at any time if abuses occur.

**Use of Colby's Brand:** The Colby name and various logotypes are federally registered service marks, and with the exception of specific student publications approved by the College and the Student Government Association, the College exercises editorial control in the matter of content, taste, and style of its own publications, advertisements, and other products. Protections, including the right to delete or remove unauthorized content, extends to the use of Colby College service marks on all other materials, commercial goods, clothing and apparel, posters, and other advertising produced by others.

**Campus Events and Student Parties:** The Office of Campus Events maintains the official College calendar of events and is responsible for scheduling and regulating most events on campus. Policies for specific venues may vary. Events with alcohol must be registered with the [Office of Campus Life](#) and are subject to that Office's specific regulations. **No alcohol is allowed on campus from the termination of summer programs through first day of classes.** There are limitations on events during the academic year so as not to interfere with students' education, including limits on events held during the week. **No events are allowed between the day following the last day of classes and the end of the final exam period.**

Guidelines for the service of alcohol on campus or at campus events are the responsibility of the particular facility or event director. Alcohol service is not permitted in academic buildings without the prior consent of the Dean of the Faculty.

Failure by individuals and/or organizations to comply with any event regulations may result in denial of future opportunities to hold events, as well as possible disciplinary action.

**Tailgate Events:** Tailgate events must be registered with the Associate Director of Athletics at least one week prior to home athletic events. Tailgating is only allowed in designated areas. Beer can be consumed in cans by students age 21 or over in the tailgate area; no kegs or common containers are allowed. No hard alcohol is allowed. Tailgate events may take place only within one hour of the start of the event and during half-time.