The Code of Community Responsibility
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Disclaimer
The provisions of this document do not constitute a contract, express or implied, between Colby-Sawyer College and any student applicant, student’s family, faculty or staff member. Colby-Sawyer College reserves the right to change the policies, procedures, rules, regulations, and information (to include but not limited to COVID-19 policies) in this document at any time. When situations arise that require changes to this document, notifications will be made to the college community. This document is a general information publication only, and it is not intended to nor does it contain all regulations that relate to students. The most recent Code of Community Responsibility can be found at http://colby-sawyer.edu/assets/student-life/citizenship/code-of-conduct.pdf.
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Introduction
Colby-Sawyer College seeks to balance the needs and the rights of the individual with the welfare of the community. Students are expected to conduct themselves in a manner that is consistent with the values embraced by the college community and reflected in the college’s policies, contracts, rules and regulations, including the Code of Community Responsibility (Code).

One way the college seeks to teach student responsibility is by holding them accountable for their behavior. This Code is intended to describe behaviors that are not acceptable in this college community. This document also contains the process by which unacceptable behavior may be addressed (including the types of sanction that may be imposed). Procedural rules consistent with the Code will be developed as necessary from time to time so that fundamental fairness may prevail.

Students do not lose their rights as citizens of or visitors in this country when they become members of the Colby-Sawyer College community. Conversely, they do not shed these responsibilities. Colby-Sawyer College seeks to balance the needs and the rights of the individual with the welfare of the community. Students are expected to conduct themselves in a manner that is consistent with the values embraced by this college community that are reflected in its policies, contracts, rules and regulations, and the Code.

Purpose
The interest for community members to resolve conflicts is recognized by the college as an opportunity for individual growth, and a time to affirm the Code. Maintaining a balance between the individual and the community is a continual process that requires insight, sensitivity, and diligence on the part of each member of the college. Colby-Sawyer students are expected to read and understand the college’s policies and procedures, the student conduct hearing process and procedures as well as their student conduct hearing rights and responsibilities as outlined throughout the Code.

Part I: Definitions
The following selected terms are defined in effort to facilitate a more thorough understanding of the Code. This list is not intended to be a complete list of all the terms referenced in the Code. A member of the Department of Citizenship Education, the vice president of student development and dean of students or his/her designee shall make the final determination on the definition of any term(s) found in the Code.

1. “Appellate Board” or “Appeal Board” is a group of trained faculty, staff and students of the Colby-Sawyer College Community who will consider an appeal that has been submitted by a student. A decision will be made as to whether or not the appeal meets specific criteria for an appeal to be granted.
2. “Business day” is any day, Monday through Friday between the hours of 8 a.m. and 5 p.m. that the college is open.
3. “Coercion” refers to the use of pressure and/or oppressive behavior, including express or implied threats of harm, intimidation, which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person’s words or conduct amount to coercion if they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity. For complete definition specific to the college’s sexual misconduct policies refer to Appendix C of this
document. For a complete definition specific to the Title IX Sexual Harassment policy and procedures refer to here.

4. “Colby-Sawyer community members” refers to students, faculty or staff members, and contracted employees of the college.

5. “College” means Colby-Sawyer College (CSC).

6. “College official” is an individual employed by CSC, who has administrative or professional responsibilities.

7. “College property” or “College premises” refers to all land, buildings, facilities, athletic fields, walkways and other property in the possession of or owned, used or controlled by the college (including adjacent streets and sidewalks).

8. “Complainant” is an individual who submits an allegation that a person violated the Code.

9. “Conflict of interest” refers to persons who will be prohibited from serving as a hearing officer or board member if a reasonable person could conclude that the person’s involvement would likely constitute a conflict of interest by compromising any portion of the investigatory process, review process, and/or any decision process. Some examples that would create a conflict of interest are, but are not limited too; (1) he/she/they has personal knowledge about the facts that are going to be considered as evidence throughout any portion of the process; (2) he/she/they has served as an support person to the reporting third party, the complainant, and/or the respondent in connection with the alleged policy violation; (3) he/she/they or a member of his/her immediate family has an interest (financial or otherwise) in the outcome of the case in question; and/or (4) an objective and reasonable person would question his/her/impartiality or bias. When in question, the hearing board advisor will make the final determination if a bias exist. In the event the hearing board advisor makes such determination, the person in question will be replaced with another person to carry out the function(s). The hearing board advisor’s decision will be final. In cases that the hearing board advisor is alleged to have some impartiality or bias, the director of citizenship education, the vice president of student development and/or dean of students, or his/her designee will make the final determination regarding impartiality or bias and any required reassignment. The college reserves the right to select an impartial investigator, reviewer, or decision maker from outside the college in the event no-one from within the institution is comfortable or able to serve in such role.

10. “Consent” refers to voluntary, informed, un-coerced agreement through words or actions freely given, which could be reasonably interpreted as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively choose to participate. For complete definition specific to the college’s sexual misconduct policies refer to Appendix C of this document. For a complete definition specific to the Title IX Sexual Harassment policy and procedures refer to here.

11. “Faculty and Staff member” refers to any person employed by the college to educate/teach/conduct classroom activities, learning, or facilitate out of classroom experiences.

12. “Hearing” refers to a forum for addressing alleged conduct policy violations.

13. “Hearing advisor” refers to a college official designated by the vice president of student development and dean of students to advise hearing board members, complainants, and respondents on procedural issues, the hearing process and policies as outlined in the Code.

14. “Hearing Board” and “Hearing officers” refers to a group of trained faculty, staff and students who will review all of the facts of the case and make a determination as to whether or not a student did or did not violate the Code. An appropriate sanction will be determined if a violation has occurred.
15. “Incident Report/Statement” refers to information which explains the circumstances relating to the alleged violation of any policy outlined in the Code.

16. “Incapacitation” refers to the state in which an individual’s perception or judgement is so impaired that the individual lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who incapacitated (and therefore unable to consent), where an individual know or ought to reasonably to have understood that the individual is incapacitated, may constitutes violation of the college’s sexual misconduct or the Title IX Sexual Harassment policy as defined in Appendix C.

17. “Club” and “Organization” refers to an association or group of students who have complied with the formal requirements for college recognition. Details can be found on the Student Activities Office Web page here. For inquiries/details specific to Athletic Clubs, and Student Recreational Sports visit Colby-Sawyer College Recreational Sports Department Web page here.

18. “Policy” is defined as the written regulations, standards, and student conduct expectations adopted by the college and found in, but not limited to, the Code of Community Responsibility; the on-campus housing contract; the off-campus college owned or lease contract; the Catalog; and other publicized college notices or documents.

19. “More likely than not” or “Preponderance of the Evidence” is the standard that every board member, and hearing officer will use while deciding whether or not a student violated the college’s Code. Would a reasonable person (the hearing officer or hearing board member), looking at all of the information presented by the complainant, find that it is more likely than not (at least 51%) that the respondent(s) violated college policy(s)?

20. “Respondent” is any student accused of violating any policy at the college.

21. “Student” or “Student community member” means any person, who has been admitted, enrolled in a course(s), or attending a college program. This also includes a person enrolled in other study programs through the college (i.e., study abroad).

22. “Student conduct file” refers to the printed, written, electronic file that may include, but not limited to incident reports/statements, correspondence, academic transcripts or schedules, witness statements, and student conduct history.

23. “Support person” is a member of the college community who is chosen by the complainant (and/or respondent). This person may accompany the complainant or respondent to support the student during the hearing process.

24. “Third Party” refers to any other participant in the process who makes a report on behalf of someone else.

25. “Witness” means any person or college community member who has direct knowledge of the incident. Character witness testimony is considered irrelevant and will not be permitted.

Part II: Conduct
The Code applies to students and their registered clubs or organizations. Throughout this document the term student will refer to the student as an individual and to a registered student club or organization as a single entity. Registered student clubs and organizations may be held accountable either through the Student Activities Department, Recreational Sports Department club sports, athletics, or the conduct process as outlined in this Code. The officers or the leaders of a student club or organization may be expected to represent the club or organization during the student conduct process. Nothing in this Code shall preclude holding certain members of a club or organization accountable for their individual acts when an alleged violation of the Code occurs.
A. Jurisdiction of Colby-Sawyer College

1. Each student shall be responsible for his/her conduct from the time of admission through the completion of a degree requirements. This includes conduct before classes begin, after classes end, as well as time between semesters even if his/her conduct is not discovered until after the degree is awarded. If a student withdraws or separates from the college prior to a conduct hearing, the case will be considered pending. Students may not continue in any program offered by the college until the disciplinary process is concluded.

2. If a student withdraws or separates from the college during a time that an earlier sanction was imposed, the student’s file and sanction(s) will be placed in pending status until the time the student re-enroll at the college. Once the student re-enrolls to the college, the previously imposed sanction at the time of withdrawal or separation will resume. For example, if a student is on disciplinary probation at the time of withdrawal or separation from the college, the disciplinary probation will be placed on hold until he/she returns. At the time of return, the student will be placed on the disciplinary probation for the duration of the sanction.

3. Generally, the college jurisdiction shall be limited to student conduct that occurs on college premises or in connection with college-sponsored or supervised event, program, and activity (including students enrolled in off-campus internships, study abroad programs, and athletic events). However, the college may apply the Code to students whose misconduct may have an adverse impact on the college community, its members, and/or the pursuit of its objectives regardless of where such conduct occurs.

The following examples describe on and off-campus acts that may be addressed through the student conduct process:

- driving under the influence of alcohol or drugs;
- physical assault;
- sexual misconduct;
- sale/distribution of illegal substances; and
- damage/vandalism.

These examples are illustrative in intent and should not be regarded as all-inclusive. If a department member of Citizenship Education, the vice president of student development and dean of students or his/her designee determine that an alleged act of on or off-campus misconduct falls within the jurisdiction of the college, the case will be referred to the Department of Citizenship Education for resolution.

4. College student conduct proceedings may be initiated against a student charged with conduct that potentially violates both the criminal law and Colby-Sawyer College Code policy. In this case any violations must result from the same factual situation. This may constitute a Code violation without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under the Code may be carried out prior to or simultaneously with civil or criminal proceedings at the discretion of the Department of Citizenship Education, the vice president for student development and dean of students or his/her designee. The college cooperates with law enforcement and other agencies in the enforcement of laws on campus that involve students. This includes providing information requested by subpoena or otherwise permitted by law.
Decisions or sanctions imposed under the Code shall not be subject to change due to criminal charges arising out of the same facts.

**B. Conduct Policies**

As members of the college community, students have obligations to uphold the Code as well as to obey federal, state, and local laws. A member from the Department of Citizenship Education, the vice president of student development and dean of students, or his or her designee shall make the final determination on what constitutes a potential violation of the Code.

The following list of behaviors is intended to represent the types of acts that constitute violations of the Code. Although the list is extensive, it should not be regarded as all-inclusive. All college students are responsible for knowing and observing all college policies and procedures.

1. **Abuse of the college’s student conduct process**, including but not limited to:
   a. Disruption or interference with the orderly conduct of student conduct proceedings. This also applies to any witness failing to attend a hearing he/she/they has been called in to attend and/or providing false or inaccurate information throughout the process.
   b. Falsification, distortion, or misrepresentation of information to a college investigator, this includes but is not limited to, a non-college community member investigator and/or law enforcement official, student conduct hearing officer, or hearing forum.
   c. Influencing or attempting to influence another person to commit an abuse of the student conduct system.
   d. Attempting to discourage an individual’s proper participation in, or use of, the student conduct system.
   e. Attempting to intimidate or retaliate against a member of the hearing forum, a student conduct hearing officer, or any participant prior to, during, and/or after a student conduct proceeding.
   f. Institution of a student conduct code proceeding in bad faith.
   g. Failure to comply with the sanction(s) imposed under the Code.

2. **Abuse of Computer Facilities and Resources**: Allegations or violations of the Information Technology policies can be found [here](#).

3. Violations of the **Academic Honesty**: Allegations or violations of Academic Honesty and the policy procedures associated with academic honesty can be found in the [Colby-Sawyer College Catalog](#), available on the college’s website.

4. **Alcohol and Other Drugs**: All students are expected to know and abide by college policies governing the use of alcohol and other drugs. Refer to Appendix A of this document for policies associated with alcohol and other drugs.

5. **COVID-19**: All students are expected to know and abide by college policies regarding COVID-19. Refer to Appendix B of this document for policies associated with COVID-19.

6. **Damage/Vandalism** is defined as the intentional or reckless involvement in behavior which results in, or presents a strong probability of damage and destruction of college property or personal or public property. Individuals may also be charged with Disorderly Conduct or Disruption if the operation of the college is affected as a result of the vandalism.
For Residential Education policies and procedures for Residence Hall Damage and Vandalism, visit the Department of Residential Education policy Web page here.

7. **Dishonesty:** Honesty is a foundation for positive relationships that allow for learning to occur. When student(s) make dishonest representations to the college or its officials, it is a violation of the Code. These violations can occur in and out of the classroom. Examples of dishonesty outside the classroom include, but are not limited to: (i) Using another person’s college ID or parking permit or knowingly permitting another to use one’s college ID or parking permit; (ii) knowingly furnishing false information to a college official; (iii) forgery (falsifying a signature or any document for fraudulent purposes). For Academic Honesty policies and procedures refer to the Colby-Sawyer College Catalog.

8. **Disorderly Conduct/Disruptive Behavior** is defined as participating in or inciting other(s) to behave in disruption or obstruction that has a negative impact on college activities, including but not limited to: teaching, research, events, student conduct proceedings, the living and learning environment, or other college sponsored activities, on or off-campus; or of other non-college activities when the conduct occurs on college property/premises, or of the living environment, on or off-campus; or by unauthorized use of electronic equipment.

9. **Endangering behavior** includes, but it is not limited to, conduct that threatens or endangers the health or safety of any person including one’s self by intimidation, humiliation, physical contact..

10. **Failure to comply** is defined as uncooperative behavior which includes, but is not limited to, uncooperative behavior and/or failure to comply with the sanctions, providing false information, and/or failure to identify oneself to a college official and/or law enforcement officer.

11. **Fire Safety:** The setting of or participation in unauthorized fires; the possession or use of fireworks, the unauthorized or improper possession, use, removal, or disabling of fire safety equipment and warning devices; failure to follow standard fire safety procedures or evacuation procedures; or interference with firefighting equipment or personnel.

   - Hover boards are prohibited at Colby-Sawyer College. Hover boards include but are not limited to self-balancing scooters, battery operated scooters, hands free Segways, and electric powered skateboards. For Residence Hall Fire Safety policies visit the Department of Residential Education policy Web page here.

12. **Guest/Host:** Colby-Sawyer College students are responsible at all times for the behavior and property of their guests (non-student and student). Students are also responsible for ensuring their guests (non-student and student) are familiar with and observe all policies outlined within Code. The host of a guest who violates the Code may be charged with conduct violation(s) committed by his/her guest. Any guests who are visiting campus including Colby-Sawyer College owned or leased buildings at any time must register with Campus Safety immediately upon arrival and no later than the start of residential quiet hours. The host of a non-student guest will be deemed to be in violation of this policy if he/she fails to properly register any non-student guest or for failing to accompany that non-student guest while the guest is on campus. For college’s policies and procedures specific to the COVID-19 Student/Non-Student Guests/Hosts, Visitors visit the Department of Campus Safety Web page here and Appendix B.

13. **Harming behaviors** which includes, but is not limited to, physical assault or abuse, responding to a true threat of or actual physical assault or abuse with true threat of or actual physical assault or abuse, intentional acts that violate the college’s interim non-contact order instructions/parameters or other similar directives issued or imposed by the vice president of student development and/or dean of students or
his/her designee, and also includes bullying or harassment. For the purposes of the Code, bullying is considered a form of harassment.

**Harassment** is the severe or repeated use by one or more students of a written, verbal, or electronic expression, or a physical act, gesture, or any combination thereof, directed at another individual that has the effect of: causing physical or emotional harm to the individual and/or his/her property; placing the individual in reasonable fear of harm to the individual and/or his/her property; or infringing on the rights of other college community members to participate in the programs, activities, and mission of the college. Harassment shall include, but not limited to, a written, oral or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

**Bullying** means the repeated use of a written, verbal or electronic communication, or a physical act or physical act or gesture by one or more individuals, repeatedly directed at another individual that: (i) Causes physical or emotional harm or damage to property, (ii) places the target of such behavior in reasonable fear of harm to self, or of damage to property (iii) creates a hostile environment or otherwise infringes on the rights of such individual, or (iv) substantially disrupts the education process.

In determining whether an act constitutes harassment and/or bullying, a member from the Department of Citizenship Education, the vice president of student development and dean of students and/or his/her designee will consider the full context of the conduct, giving due consideration to the protection of the college climate, individual rights, freedom of speech, academic freedom and advocacy. Not every act that might be offensive to an individual or a group constitutes harassment and/or a violation of the Code.

14. **Hazing** is defined as an act which engages the mental or physical health or safety of a student, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group, club or organization. The express or implied consent of the victim will not be a defense. A student is responsible for behavior when he or she solicits aids, agrees or attempts to aid another person in planning or committing the behavior, regardless of whether the person committing the behavior is charged. Apathy and/or acquiescence in the presence of hazing are neutral acts; they are violations of this policy.

15. **Indecent Exposure and Lewdness:** Fornicating, exposing your genitals, public urination or defecation or performing any other act of lewdness under circumstances that the alleged offender should know will likely cause affront or alarm.

16. **Non-Discrimination** - The college recognizes that harassment related to an individual's sex, sexual orientation, gender identity or gender expression can occur in conjunction with misconduct related to an individual's race, color, ethnicity, national origin, religion, age, or disability. Targeting individuals on the basis of these characteristics is also a violation of the college policy. Under these circumstances, the college will coordinate the investigation and resolution efforts outlined in these policies as well as the Code of Community Responsibility (for students) and Employee Handbook (for employees), to address harassment related to the targeted individual's sex, sexual orientation, gender identity or gender expression together.
with the conduct related to the targeted individual's race, color, ethnicity, national origin, religion, age, or disability.

17. **Retaliation** is defined as acts or attempts to retaliate or seek retribution against the complainant, respondent, or any individual or group of individuals involved in the student conduct process are prohibited. Retaliation includes but is not limited to:

- intimidation,
- verbal or physical threats,
- harassment,
- coercion (for definition specific to the college’s Sexual Misconduct Policy and Procedure refer to [Appendix C](#) for the college’s definition specific to the college’s Title IX Sexual Harassment Policies and Procedure refer [here](#)).

- intentional acts that violate the college’s interim non-contact orders or other similar directives issued or imposed by the vice president of student development and/or dean of students or his/her designee;
- or other adverse action.

It is a violation of college policy to retaliate in any way against an individual or a group because the individual or group of individuals reported an allegation of a policy violation. The college recognizes that retaliation can take many forms, may be committed by an individual or a group against an individual or a group, and that a respondent can also be the subject of retaliation by the complainant or a third party. The college will take responsive action to any report of retaliation and may pursue disciplinary action as appropriate. An individual reporting a violation of policy is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven.

18. **Service Animals/Emotional Support Animals:** The college recognizes the importance of Service Animals as defined by the Americans with Disabilities Act Amendments Act (ADAAA) and the broader category of Emotional Support Animals under the Fair Housing Act (FHA) that provide physical and/or emotional support to individuals with disabilities. Colby-Sawyer is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to the College’s programs and activities. Colby-Sawyer is also committed to allowing Emotional Support Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy college housing. Colby-Sawyer will not retaliate against any person because that individual has requested or received a reasonable accommodation in college housing, including a request for an Service/Emotional Support Animal. Colby-Sawyer reserves the right to amend this policy as circumstances require. For college’s policies and procedures specific to Service Animal/Emotional Support Animal visit the [Access Resources Department policy/procedure Web page](#) here. For access to the college’s policies specific to pets in the Residence Halls visit the [Department of Residential Education Web page](#).

19. **Sexual Misconduct** – College’s Sexual Misconduct Policy and Procedures includes but is not limited to policies such as: sex or gender discrimination, sexual harassment, sexual violence to include domestic violence, dating violence, sexual assault, sexual exploitation and stalking, and/or cyber-stalking. For policies and procedures pertaining to the college’s Sexual Misconduct Policies and Procedures, refer to [Appendix C](#) for further information.

20. **Smoking/Vaporizing** - College owned and leased buildings and curtilage are considered tobacco free. Smoking, vaping, and/or the use of tobacco products are prohibited within 20 feet of any college-owned or
leased building or curtilage. In all cases the right of the nontobacco user to a smoke-free environment will take precedence over the tobacco user’s desire to use tobacco.

21. **Title IX Sexual Harassment** For policy and procedure pertaining to the college’s Title IX Sexual Harassment policies and procedure, refer to the [Title IX Sexual Harassment Policies and Procedures](#) for further information.

22. **Theft** is defined as the taking of property belonging to the college, a college service (i.e., the Dining Hall and computer facilities and resources), a college community member, or a non-college community member. Examples of theft include, but are not limited to: intentional taking of or willful concealment of stolen property; receiving or possessing stolen property from another person; mislaid or lost property; or shoplifting.

(For Information Technology policies specific to Abuse of Computer Facilities and Resources visit the [Department of Information Technology](#) Web page [here](#).

23. **Unauthorized use or entry** is defined as any unauthorized entry or use of any college owned, college leased, or college controlled buildings or property. This includes but is not limited to the unauthorized use, possession and/or duplication of any college key or access card.

24. **Violation of any college policy, rule, or regulation** published or posted in hard copy, available electronically on the college website, or distributed via email.

25. **Violation of the On-Campus and Off-Campus Housing Contract, policies, rules or regulations.**

26. **Weapons, Firearms, Fireworks, Projectiles, Etc.**: the college prohibits the possession of dangerous weapons. Except for those persons specifically exempted under the college’s weapons, firearms, fireworks, projectile, Etc. policy or otherwise explicitly authorized by the college’s director of Campus Safety to have a weapon, no one may possess, carry, use, transport, store, or otherwise have in their custody or control – however temporary – any weapon while on college owned or controlled property or at any college sanctioned event, wherever situated.

For the college’s weapons, firearms, fireworks, projectiles, etc. visit the [Department of Campus Safety](#) Web page [here](#).

**Part III: Student Conduct Process and Procedures**

**Note:** that Part III: Student Conduct Process and Procedures: A-F of this document refers to all allegations EXCLUDING allegations of Title IX Sexual Harassment Policies and Procedures. Refer to the [Title IX Sexual Harassment Policies and Procedures](#) for further information pertaining to the college’s Title IX Sexual Harassment Policies and Procedures.

**A. Allegations**

1. Any person (from either within the college community or a visiting guest of the college) may file a report regarding a student or registered student organization or club alleging misconduct. All student conduct activity commences with filing of an incident report or submitting a statement that explains the alleged violation of the Code. Reports may be filed with the vice president of student development and dean of students, the Department of Residential Education or the Department of Campus Safety.

2. All Incident reports/statements regarding alleged violations of the Code are reviewed by a member of the Department of Citizenship Education and/or the vice president of student development and dean of students or his/her designee.
3. A member of the Department of Citizenship Education and/or the vice president of student development and dean of students or his/her designee shall review the incident report/statement and determine if a complaint alleges or addresses a potential violation of the Code.

4. A department member of Citizenship Education and/or the vice president of student development and dean of students or his/her designee may assign the case to a hearing board or a hearing officer depending on allegations and circumstances surrounding the incident or refer the case for informal resolution.

5. The college reserves the right to conduct informal conversations with student(s) surrounding student conduct concerns and potential student conduct activity without filing an Incident Report. The college will not take formal student conduct action unless an Incident Report is filed, notification is provided to the student(s) and the hearing process is offered in accordance with the procedures outlined in this document.

B. Student Conduct Hearing Board Information

1. Colby-Sawyer College may use a variety of different hearing forums for resolution. A department member from Citizenship Education and/or the vice president of student development and dean of students or his/her designee will determine which hearing forum will be utilized depending on allegations, circumstances surrounding the incident. All forms of hearings aim to resolve cases impartially and treat all individuals involved in the process with respect and objectivity.

2. All hearings specific to student conduct take priority over all other non-academic college activities. If a student does not attend his/her hearing or submits a statement waiving his/her right to attend the hearing, the hearing officer or the board’s hearing advisor will submit a plea of not responsible on behalf of the student and the hearing officer or hearing board will make a decision based on any and all information provided at the time of the hearing (Incident Reports, statements, any other information provided by respondents, complainants, witnesses etc.) using the more likely than not standard.

3. Waiving the right to attend a hearing: Students have the option of accepting responsibility for the alleged violation(s) in writing and having sanctions assigned in absentia. If a student waives the right to attend the hearing and accept responsibility for alleged violation(s) the student must submit in writing that he/she is waiving their right to attend the hearing and are taking responsibility for alleged violation(s). This written document must be submitted to the author of the student’s hearing notification letter no less than 24 hours prior the start time of the scheduled hearing. Any student who waives their right to attend their hearing and takes responsibility for alleged violations will be notified of the decision and assigned sanctions (if appropriate) in a reasonable amount of time. Failure to attend a scheduled meeting or hearing after appropriate notification or waiving his or her right to attend the hearing will not be a basis for an appeal.

4. Witnesses may be called to the hearing by the hearing officer, hearing board, and/or advisor. The hearing officer, hearing board, and/or advisor have the authority to determine the appropriateness and number of witnesses who may be called. Witnesses called by the hearing officer, hearing board, and/or advisor are required to appear. Refusal or failure to appear may result in being charged with abuse of the college’s student conduct process and/or failure to comply which may result in conduct system sanctioning. Witnesses who withhold information or intentionally mislead an investigator, hearing officer and/or hearing board will also likely result in being formally charged with “abuse of the college’s student conduct process” which more likely than not will result in conduct system sanctioning.
Respondents and complainants may request witnesses to attend his/her hearing. This request must be submitted in writing to the assigned hearing officer or assigned board’s advisor (the author of the letter of notification) no later than 48 hours prior to the scheduled start time of the hearing. It is at the discretion of the assigned hearing officer, hearing board members and/or hearing advisor to call in any respondent and complainant’s witness(s).

5. **Support person** for all hearings excluding cases specific to the college’s Title IX Sexual Harassment Policies and Procedures. A complainant or respondent may have a staff or faculty member assist as a support person. A support person may confer with the complainant or respondent during the hearing, but may not interfere with, advocate for or speak in place of the involved party. Disruptive behavior by a support person will result in their removal from the hearing. Non-college members, including legal counsel are not permitted to serve as a support person, with the exception of cases involving Title IX Sexual Harassment Policies and Procedures.

### C. Student Conduct Hearing Forums

1. **One on One Hearing:** A department member from Citizenship Education and/or the vice president of student development and dean of students will designate and train college officials who are authorized to serve as a hearing officer for One on One Hearings. Hearing officers may conduct hearings on an alleged violation of the Code and may impose a sanction that could range from written warning, educational assignment, fines or restitution, housing contract revocation/visitation revocation, suspension, or dismissal for findings of responsibility as appropriate.

2. **Hearing Boards:** Student conduct hearing boards may bring several people together in an effort to allow for full consideration of an allegation that a student has violated the Code. The hearing participants may include the investigator, respondent(s), complainants(s), witnesses, and the members of the hearing forum, the hearing forum advisor, and a support person for each respondent and complainant. The different forms of hearing boards are Community Council Hearing Board, Administrative Hearing Board, and Title IX Sexual Harassment Administrative Hearing Board. All decisions made by hearing boards are determined by majority vote.

   a. **Community Council Hearing Board:** This board is comprised of at least three Colby-Sawyer students. A student will serve as a chair for the hearing. All student board members are provided with six hours of training and are expected to participate in weekly hearings to hear and review cases, make findings, and assign sanctions. Community Council Hearing Board membership is open to students who have generally achieved sophomore, junior, or senior standing, and have been enrolled at the college for at least one semester. Community Council Hearing Boards maybe assigned cases of alleged student conduct violations that could result in sanctioning from a written warning, educational assignment, fines or restitution, housing contract revocation/visitation revocation.

   **Board Advisor:** Community Council Hearing Boards will have a hearing board advisor. The hearing board advisor is a college official designated by the vice president of student development and dean of students to advise hearing board members, complainants, and respondents on procedures, the hearing process and policies as outlined in the Code. Board Advisor(s) are not members of the hearing board and do not have influence with decisions made by the hearing board.
b. **Administrative Hearing Board:** Administrative Hearing Boards are comprised of at least three members of the college community, generally (excluding cases alleging violations of the college’s sexual misconduct) two faculty and staff members and at least one student. A staff/faculty member will serve as a chair for the hearing. All board members are provided with six hours of training so they are prepared to hear and review cases, make findings, and assign sanctions as appropriate. Typically, Administrative Hearing Boards will be given cases of alleged student conduct violations that could result in sanctioning from written warning, educational assignment, fines or restitution, housing contract revocation/visitation revocation, suspension, or dismissal for findings of responsibility as appropriate.

**Board Advisor:** Administrative Hearing Boards will have a hearing board advisor. The hearing board advisor is a faculty or staff member designated by the vice president of student development and dean of students to advise hearing board members, complainants, and respondents on procedural issues, the hearing process and policies as outlined in the Code. Board Advisor(s) are not members of the hearing board and do not have influence with decisions made by the hearing board.

c. **Sexual Misconduct Administrative Hearing Board:** Composition of a college Sexual Misconduct Administrative Hearing Boards is comprised of no less than three members of the college community, and it shall be drawn from a pool of faculty and staff who are annually trained in the area of the college’s Code of Community Responsibility (including the college’s Sexual Misconduct policies) and Title IX Sexual Harassment. A staff/faculty member will serve as a Chair for the hearing. All board members are provided with no less than six hours of training so they are prepared to hear and review cases, make findings, and assign sanctions as appropriate. Typically, the college’s Sexual Misconduct Administrative Hearing Boards will be referred cases of alleged sexual misconduct (as outlined in the Code) conduct violations that could result in sanctioning from written warning, educational assignment, fines or restitution, housing contract revocation/visitation revocation, suspension, or dismissal for findings of responsibility as appropriate.

**Board Advisor:** Sexual Misconduct Administrative Hearing Boards will have a hearing board advisor. The hearing board advisor is a faculty or staff member designated by the vice president of student development and dean of students to advise hearing board members, complainants, and respondents on procedural issues, the hearing process and policies as outlined in the Code. Board Advisor(s) are not members of the hearing board and do not have influence with decisions made by the hearing board.

d. **Title IX Sexual Harassment Hearing Board:** For information pertaining to hearing boards for the college’s Title IX Sexual Harassment Hearing Board, visit: [http://colby-sawyer.edu/assets/student-life/citizenship/Title-IX-Sexual-Harassment-Policies-and-Procedures.pdf](http://colby-sawyer.edu/assets/student-life/citizenship/Title-IX-Sexual-Harassment-Policies-and-Procedures.pdf)

### D. Hearing Process

An essential component of any form of hearing is to determine and weigh of the facts that pertain to the allegation(s). A hearing is not a time to call into question a student’s character, but rather to examine the student’s behavior. Therefore character references are not permitted. It is important that personal impact statements and other information pertinent to the allegation(s) against a student be presented clearly and
factually. All participants are expected to be respectful of each other’s role in the hearing process and to conduct themselves according to the direction of the hearing forum. In an effort to be as fair as possible to the complainant and respondent, student conduct procedures may be modified. In certain cases, such as allegations of harming behaviors, endangering behaviors, retaliation, hazing, or Sexual Misconduct Policies and Procedures the complainant in the case will be informed of the findings of the charge(s) and any associated sanctions that may be imposed specific to the charge(s). For allegations specific to the college’s Title IX Sexual Harassment Policies and Procedures, refer to the Title IX Sexual Harassment Policies and Procedures for further information. Support and privacy of all of those potentially involved in the hearing process must and will be taken into consideration. This may include, but is not limited to, alteration of the hearing room setup, or the use of video conferencing, or by other electronic means.

1. A hearing will usually be held within fifteen (15) days of incident reports/statements alleging a student conduct violation being submitted to the Department of Citizenship Education.

2. A hearing officer or hearing board shall conduct the hearing in accordance with the procedures listed below. When a college official serves as the hearing officer in a One on One Hearing, that hearing officer may be referred to as the chair or hearing forum. Specific hearing forums may adopt additional procedures that are inconsistent with the provisions of the Code:
   a. Formal rules of process, procedure, and/or technical rules of evidence, that are applied in criminal or civil court, are not used in these proceedings.
   b. A hearing shall be conducted in private in accordance with the process outlined throughout this document.
   c. Allowing a person into the hearing room shall be at the discretion of the chair of the hearing forum. The chair and/or hearing advisor shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.
   d. When a hearing involves more than one respondent, the chair or hearing advisor may at his/her discretion hold a separate hearing for each student.
   e. If a respondent or complainant, after receiving notification at least 48 hours prior to the scheduled start date and time of the hearing, does not appear for a hearing the hearing will proceed without the student present.
   f. Except as directed by the chair, the support person shall limit his/her role in a hearing to that of an advisor to the respondent or complainant. The support person shall not speak for the respondent or complainant and not speak to the board. Refer to the support person section for guidelines and procedures (Part III.B.5).
   g. The hearing officer and/or hearing advisor may arrange for witnesses to present relevant information to the hearing forum. Witnesses will provide information and answer questions from the hearing board members or hearing officer.
   h. Questions may be suggested to the chair of the hearing by a respondent or complainant. All questions from the respondent or complainant shall be directed to the chair of the hearing. Questions of whether information will be received and asked shall be at the discretion of the chair. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Please refer to Part III.B.4 for further information specific to witnesses.
i. Relevant records, exhibits, and written statements (including student impact statements) should be provided during the investigating stage of the process. Any additional information may be accepted for consideration by the hearing officer, hearing board advisor, or hearing board at its discretion as long as such information was provided in accordance with the Code.

j. Any information (to include, but not limited to acts of dishonesty) presented by a student during a hearing that indicates a potential violation of the Code may be investigated and will likely be addressed at a future time through a separate process.

k. A department member of Citizenship Education, the vice president for student development and dean of students and/or his/her designee will review the final investigation report/incident report to determine whether the investigation was conducted in a fair, impartial, and reliable manner. In conducting this review, the department member of Citizenship Education, the vice president for student development and dean of students and/or his/her designee may accept or reject the investigation report/incident report in whole or in part. If the department member of Citizenship Education, vice president for student development and dean of students and/or his/her designee rejects the final investigation report/incident report, the case will be referred back to the investigating office to re-initiate investigation.

l. After the information gathering portion of the hearing concludes, the hearing officer or hearing board shall determine whether the respondent has violated a section of the Code on the basis of whether a reasonable person would find that it is more likely than not (e.g. the preponderance of the evidence standard) that the respondent violated the Code.

m. When a student respondent has been found “responsible” of a violation, the hearing officer or board shall review the student’s student conduct history prior to imposing the appropriate sanction(s). If a student has prior conduct policy violation, this information will be taken into account when sanctions are assigned.

n. All procedural questions are subject to the final decision of the hearing officer/chair of the hearing.

o. The hearing officer (for a One on One Hearing) or board advisor (for a board) will send the decision letter on behalf of the hearing board that relays the decisions from the hearing to the respondent and appropriate college officials.

p. In cases involving harming behaviors, endangering behaviors, retaliation, and/or policies outlined in the Sexual Misconduct Policies, the hearing officer (for a One on One Hearing) or board advisor (for a board) will notify the complainant the findings and any associated sanctions pertaining to the findings of responsibility for these charges of the respondent(s).

q. The college reserves the right to consult with the college attorney when deemed necessary. The college also reserves the right to request the college attorney be present for any portion of the hearing process.

3. The college reserves the right to choose to audio or video record student conduct hearings. If the college chooses to record a hearing, the college will maintain the audio recordings until the completion of the appeal process. Participants are prohibited from making their own recordings in anyway. Upon written request to a department member of Citizenship Education or the vice president of student development and dean of students a respondent or complainant (if applicable) may listen to the audio recording on the college premises with a designated department member of Citizenship Education or vice president of student development and dean of students and/or his/he designee.
E. Student Conduct Hearing Rights

The respondent(s) and complainant(s), if applicable, shall have the right to:

a. Be notified of all alleged violations by means of the student address (assigned college mailing address, residence hall address via hand delivery, permanent address, college email, or in person).

b. In all student conduct proceedings, the respondent shall be presumed not responsible until it is determined that a violation of the college’s student conduct policies occurred using the more likely than not standard also referred to as the preponderance of the evidence standard.

c. Review the completed incident report and any associated statements that will be used at the hearing.

d. Request a meeting with a member from the Department of Citizenship Education to discuss questions or concerns pertaining to the Code and/or the hearing process.

e. A reasonable period of time to prepare for a hearing (no less than 48 hours prior to the start of the hearing).

f. Request a delay of a hearing due to extenuating circumstances. The decision to grant or deny any such request is within the discretion of the Director of Citizenship Education, hearing advisor, and/or the vice president of student development and dean of students. Such request must be made no less than 24 hours prior to the scheduled start time of the hearing.

g. Be informed of any person’s name that submits/reports information that alleges misconduct and/or submits a complaint alleging misconduct.

h. Be informed of the identity of witnesses who have been called and requested to present information at the hearing.

i. Be present and participate throughout the fact gathering portion of the hearing process. The deliberation and sanctioning phase of the hearing are private and will be closed.

j. Be notified of the finding(s) of a hearing and assigned sanctions (if appropriate).

k. In cases involving harming behaviors, endangering behaviors, hazing, retaliation, and/or policy violations outlined in the Sexual Misconduct Policy, complainant(s) will be notified of the findings and any associated sanctions pertaining to the findings of responsibility for these charges of the respondent(s).

l. Present witnesses and incident witness statements not included in the incident reports and other statements when deemed appropriate and relevant by the hearing board, hearing board advisor, or hearing officer. This information will need to be disclosed to the hearing officer (if a One on One Hearing) or to the hearing advisor (if hearing is assigned to a board) no less than 24 hours prior to the start of the hearing. The hearing officer, hearing board chair and/or the hearing board advisor will make the determination whether or not to call the witness in to the hearing and/or review the information provided in the additional statements. If a witness is called to the hearing the witness will provide information to and answer questions from the hearing board members or hearing officer. Questions may be suggested to the chair of the hearing by a respondent or complainant. All questions will be directed to the chair of the hearing rather than to the individual directly. Questions of whether potential information will be received and asked shall be at the discretion of the chair and/or hearing advisor. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Please refer to Part III.B.4 for further information specific to witnesses.

m. Request modifications of the hearing structure. Modifications request may include a partition panel during the hearing so as not to directly view the complainant/respondent, or the use of technology, such as a phone or Skype/Zoom etc.
n. To request an accommodation in accordance with the American with Disabilities Amendment Act (ADAAA), refer to the accommodation for Student with Disabilities section (Part IV.A) for specific parameters and procedures. Request for an accommodation through Access Resources must be made 24 hours prior to the start of the hearing.

o. Challenge participation of a specific hearing officer or board member in the event a conflict of interest is present. Refer to conflict of interest portion of the Code (Part I.9).

p. Present a personal or community impact statement specific to the incident and/or allegations to the hearing forum or hearing officer. A community impact statement is an account in the student’s own words of the effect of the incident. The student may, for example, have suffered a physical injury, be affected psychologically, or be at a loss financially. Character statements will not be permitted during the hearing.

q. Have a support person during all phases of the conduct process. A student should select a support person whose schedule allows attendance at the scheduled date and time of any meeting and/or hearing because delays will likely not be allowed due to the scheduling conflicts of a support person. Refer to support person section (Part III.B.5) for the support policy on support person.

r. Remain silent at the hearing. In the event a respondent chooses to remain silent, it should be noted that the hearing officer or hearing board will proceed with the hearing and make a determination of the case based on any and all information that is present at the time of the hearing.

s. To appeal. In cases involving harming behaviors, endangering behaviors, hazing, retaliation and/or policy violations outlined in the Sexual Misconduct Policy and Procedures, complainant(s) will be afforded the same opportunity to submit an appeal as a respondent. Refer to the Appeals portion of the Code (Part III.G) for information, policies and procedure for submitting an appeal.

F. Sanctions
Students who are found to be responsible for violating the Code will be assigned appropriate sanctions based on the nature of the violation, the severity of the violation, the student’s conduct history, and/or other criteria as determined by the hearing officer or hearing board. Sanctions are typically based on precedent set by other similar cases. However, no two cases or students are exactly the same and sanctions may vary for seemingly similar incidents. Hearing officers and hearing board members are trained to determine appropriate sanctions.

1. The following sanctions may be imposed on any student found to have violated any college policy. This is not an exhaustive list of sanctions. Although sanctions may be imposed individually, most often time’s findings of responsibility will result in various combinations to ensure the educational essence is emphasized throughout this process.

   Educational focus type sanctions example (applies to all students):
   a. **Warning**: A letter that informs the student that she/he violated college policy and a notice that another violation will likely result in a more severe sanction which could include a college probation, suspension, or dismissal.
   b. **Restitution**: Reimbursement for damage to, destruction of, or misappropriation of, college property or any property of any member of the college community. The student may also be required to provide service appropriate to the violation (e.g. cleaning/repairing a vandalized area etc.).
c. **Educational Programs and Assignments:** The student is required to complete a project and/or assignment specifically relevant to the policy violation(s). Some examples of educational programs and assignments are but not limited to: informative/research paper or presentation; reflection paper; bulletin board; appointments with Baird Health and counseling and/or outside counseling service at the students cost; anger management training; and 3rd Millennium Classroom Alcohol or Marijuana Course.

d. **Fines:** A sum of money, independent of restitution, assessed against an individual. Fines are to be paid through the Colby-Sawyer Storefront located on the Financial Services Web page. Refer to the findings letter for specifics on how to pay the fine.

e. **Behavioral Agreement/Contract:** A statement of agreement between the student and a hearing forum or college official (1) acknowledging the infraction(s) of the Code, (2) identifying a behavior/action plan, and (3) agreeing to the specified consequence(s) of failure to adhere to the behavior/action plan.

f. **Loss of Privileges:** The removal of certain student privileges, including but not limited to the following: the privilege to host guest on campus; the privilege to host guest in the student’s assigned residence halls space or other college buildings; the privilege to have stereos or other sound equipment in your residence hall space; the privilege to participate in extra-curricular activities such as activities on campus or hosted by the college; participation in senior week activities; the privilege to participate in a club activity or dance; or the privilege to apply to reside in certain residence hall spaces such as college housing.

**Traditional Residential Students (to include residential students who reside in college housing):**

g. **Disciplinary Probation** is a designated period during which additional behavior in violation of college regulations will likely constitute grounds for further disciplinary action. The hearing officer or forum will determine the length of the sanction and determine if there are particular conditions and/or restrictions attached to the status. Further violations of the Code could result in sanctioning which includes, but is not limited to: housing contract probation; housing contract revocation; suspension; or dismissal from the college. During this probationary period a student’s scholarship may be affected. For questions about whether scholarships are affected, the student should contact the Financial Aid Office. Any student who falls under the college’s residency requirement whose housing has been revoked for disciplinary reasons is required to pay the room and board portion of the housing contract as long as they are enrolled at the college. The college reserves the right to contact a student’s parent or legal guardian to inform her/him if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation, housing contract revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

h. **Housing Contract Probation** is defined as a designated period during which additional behavior in violation of college regulations will constitute grounds for more serious disciplinary action. The hearing officer or forum will determine the length of the probation and determine if there are particular conditions and/or restrictions attached to the status. Further violations of the Code could result in sanctioning which includes, but is not limited to: housing contract revocation; suspension; or dismissal from the college. During this probationary period a student may be ineligible for college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. For questions about
whether scholarship(s) are affected, the student should contact the Financial Aid Office. Any student who falls under the college’s residency requirement whose housing has been revoked for disciplinary reasons is required to pay the room and board portion of the housing contract as long as they are enrolled at the college. The college reserves the right to contact a student’s parents or legal guardians to inform him/her if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation, housing contract revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

i. **Housing Contract Revocation:** Housing contract revocation is defined as a designated period during which a student is prohibited from living or visiting in college owned or leased residence halls and buildings. Further violations of the Code could result in sanctioning which includes, but is not limited to: permanent housing contract revocation; suspension; or dismissal from the college. The hearing officer or forum will determine the length of the revocation and determine if there are particular conditions and/or restrictions attached to the status. During this time of housing contract revocation, a student may be ineligible for certain college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. Questions about whether scholarship(s) are affected, the student should contact the Financial Aid Office. Any student who falls under the college’s residency requirement whose housing has been revoked for disciplinary reasons is required to pay the room and board portion of the housing contract as long as they are enrolled at the college. The college reserves the right to contact a student’s parents or legal guardians to inform her/him if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation; housing contract revocation; suspension; or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

j. **College Housing Properties Contract Revocation:** If a student living in college housing is found responsible for a policy violation that would typically result in Housing Contract Probation, it is likely that he or she will lose the privilege of living in the college housing property and will be provided the option to return to housing on-campus at the discretion of the college. Examples of incidents that could result in this revocation could include, but is not limited to, policy violations in the following areas: alcohol; disorderly conduct; failure to comply; occupancy/trespassing; drugs; endangering behaviors; harming behaviors; weapons/firearms; and hazing. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

**Non-Residential Students (Commuter Students):**

k. **Visitation probation** is defined as a designated period during which additional behavior in violation of college regulations will constitute grounds for further disciplinary action to include but not limited to; visitation revocation; suspension; or dismissal. The hearing officer or board will determine the length of the probation and determine if there are particular conditions and/or restrictions attached to the status. This probation does not limit a student in regards to where he or she can visit. During this probationary period, it is expected that the student will become fully knowledgeable about the Code of Community Responsibility and not violate the policies set forth in the document. During this time of visitation
probation, a student may be ineligible for certain college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. Questions about whether scholarship(s) are affected, the student should contact the Financial Aid Office. The college reserves the right to contact a student’s parents or legal guardians to inform her/him if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation; housing contract revocation; suspension; or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

I. Visitation revocation means that a student may NOT visit college owned or leased residential buildings. If for any reason a student who has had his or her visitation privileges revoked believes he or she needs to enter a residential building that is owned or leased by Colby-Sawyer College, that student must receive explicit permission by a professional department member from the Department of Residential Education, Campus Safety, Citizenship Education or the vice president/dean of students. If the student receives permission to enter a college owned or leased residential building that student must be accompanied by a professional department member from Residential Education or Campus Safety. Violations of this revocation will more than likely result in an extension of the revocation period and or further disciplinary action to include suspension or dismissal. During the time that a student’s visitation privilege has been revoked, a student may be ineligible for certain college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. For questions about whether a scholarship is affected, the student should contact the Financial Aid Office. The college reserves the right to contact a student’s parents or legal guardians to inform him/her if a student has been found responsible for violating the college’s alcohol policy and you are under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned visitation restriction, visitation revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

All students – probationary suspension, suspension and dismissal

m. Probationary Suspension: is defined as the highest level of probationary status, which will remain in place for a designated period of time. The hearing officer or board will determine the length of the probation and determine if there are particular conditions and/or restrictions attached to the status. Any violation(s) of specified policies, regardless of seriousness, which occurs during the probationary suspension period, will more than likely result in immediate activation of the suspension or dismissal from Colby-Sawyer College. During this probationary period the student may be ineligible for certain college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. For questions about whether a scholarship is affected, the student should contact the Financial Aid Office. Any student who falls under the college’s residency requirement whose housing has been revoked for disciplinary reasons is required to pay the room and board portion of the housing contract as long as they are enrolled at the college. The college reserves the right to contact a student’s parents or legal guardians to inform him/her if a student has been found responsible for violating the college’s alcohol policy and you are under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned
housing contract probation, visitation restriction, visitation revocation, housing contract revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

n. **Suspension:** Suspension from Colby-Sawyer College means separation from the college for a specified period of time after which the student may re-enroll or re-apply for re-admission. A suspended student is subject to arrest for trespass and is not allowed on college grounds without the prior written authorization by the vice president of student development and dean of students, the director of Campus Safety or his/her designee. In order to be eligible for readmission, the student must complete all portions of assigned the sanctions that the hearing officer or forum may additionally assign and be cleared by the Department of Citizenship Education. During the time of the suspension a student may be ineligible for certain college awards, honors, scholarships or to study abroad through Colby-Sawyer College affiliated programs. For questions about whether a scholarship is affected, the student should contact the Financial Aid Office. The college reserves the right to contact a student’s parents or legal guardians to inform him/her if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation, visitation restriction, visitation revocation, housing contract revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

o. **Dismissal** is a permanent separation from the college with no opportunity to re-enroll or re-apply for re-admission. A dismissed student is subject to arrest for trespass and is not allowed on college grounds without prior authorization from the vice president of student development and dean of students, the director of Campus Safety or his/her designee. If for any reason the student believes he or she needs to enter Colby-Sawyer College property or Colby-Sawyer sponsored events after the date and time of your dismissal separation, the student must receive explicit permission from the vice president and dean of students, the director of Campus Safety or his/her designee. If the student receives permission to enter Colby-Sawyer College property or college sponsored event, the student must be accompanied by a professional department member from Residential Education or Campus Safety. The college reserves the right to contact a student’s parents or legal guardians to inform him/her if a student has been found responsible for violating the college’s alcohol policy and the student is under the legal age to consume or possess alcohol; if a student has been found responsible for violating the college’s drug policy; and/or a student has been sanctioned housing contract probation, visitation restriction, visitation revocation, housing contract revocation, suspension, or dismissal. Colby-Sawyer College’s refund policy for disciplinary cases stipulates that no refunds for tuition, fees, or housing are given for disciplinary action.

2. The following sanctions may be imposed upon registered student club and/or organization:
   a. The sanctions listed above in Part III.F.1, “a” through “f”.
   b. Loss of club/organization recognition: Loss of all college privileges for a designated period of time.
   c. Loss of club/organization recognition for more than two consecutive semesters requires an organization to re-apply for college recognition. Conditions for future recognition may be specified.

3. **Aggravated Violations:** If a student is responsible for violation of any college policy that is directed toward an individual or group due to race, ethnicity, ancestry, national origin, religion, gender, sexual orientation, gender identity, or expression, age, physical or mental disabilities, including learning disabilities, intellectual
development, disorders, and past/present history of mental disorder the hearing officer or hearing forum may increase the sanctions. See Non-Discrimination policy.

G. Appeals

**Appeal process:** The purpose of the appeal process is to ensure that all students, clubs and organizations are treated fairly throughout Colby-Sawyer College’s conduct hearing process. For this policy, when the term student is used, it may also referring to a club or organization. In cases involving harming behaviors, endangering behaviors, hazing, retaliation, policy violations outlined in the Sexual Misconduct Policy, and/or policies outlined in the Title IX Sexual Harassment Policies and Procedures, both the respondent(s) and complainant(s) may file an appeal in accordance with this policy and process. For prohibited conduct and definitions specific to the college’s Title IX Sexual Harassment Policies and Procedures, please refer to the **Title IX Sexual Harassment Policies and Procedures**.

1. A respondent and/or complainant (if applicable) who has participated in the hearing process may file an appeal that demonstrates appropriate basis for an appeal that is based on the student conduct hearing process (to include hearings with a hearing officer or hearing board). All appeals must be completed and submitted by the respondent and/or complainant (if applicable) involved in the hearing process and also participated in the hearing process. Appeals submitted by any person other than the student who is appealing, such as a support person and/or some other representative, will not be reviewed and will be automatically denied.

2. All appeals must demonstrate one or more of the following criteria and the student must explain in detail each basis of appeal:
   a. new information that was not available and/or known at the time of the hearing, which would likely have had a significant effect on the outcome of the hearing. This new information will be considered only if it is clear that the evidence could not have been known by the student(s) at the time of the original hearing;
   b. procedural error, in that the hearing was not conducted in accordance with the procedures prescribed by the Colby-Sawyer College Code and the procedural error must have impaired a student’s right to a fair hearing; and/or
   c. the severity of the sanction or the lack of receiving a sanction (for findings of Not Responsible) is not appropriate for the violation(s), and the student’s past conduct history (if applicable).

Information that is not considered sufficient criteria for an appeal or a reasonable claim of an appeal, by way of illustration, but not limitation, includes:
   a. disagreement with the finding and/or sanction of a hearing forum;
   b. failure to appear at an appropriately scheduled hearing; and/or
   c. failure to comply with a sanction.

An appeal is limited in scope. The purpose of an appeal is not to initiate a review of substantive issues of fact or a new determination of whether a violation of college’s rules has occurred.

3. For an appeal specific to a One on One hearing, Community Council Hearing Board, and/or and Administrative Hearing Board, all appeals will be reviewed by an Appellate Board that is comprised of at least three (3) board members who were not original participants of the board or hearing. All members of the Appellate Board have been trained in the Code and Hearing Process and are actively involved in the
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hearing process as a Community Council Hearing Board Member, an Administrative Hearing Board Member, a Sexual Misconduct Administrative Hearing Board Member, and/or hearing officer. In some cases, the Director of Citizenship Education, the vice president for student development and dean of students and/or his/her designee may direct a department member of Citizenship Education to review the appeal individually without a board. If this occurs, the department member of Citizenship Education selected to review the appeal will be a department member that did not serve as the hearing officer for a one on one hearing or serve as the hearing board’s advisor assigned to the original case/hearing.

4. For an appeal specific to a Sexual Misconduct Administrative Hearings Boards, all appeals will be reviewed by an Appellate Board that is comprised of at least three (3) Faculty/Staff members who were not original participants of the board or hearing. All members of the Appellate Board or department member of Citizenship Education have been trained in the Code, Hearing process, Title IX, and are actively involved in the hearing process as a Sexual Misconduct Administrative Hearing Board Member, and/or hearing officer. In some cases, the Director of Citizenship Education, the vice president for student development and dean of students and/or his/her designee may direct a department member from Citizenship Education to review the appeal individually without a board. If this occurs, the department member of Citizenship Education selected to review the appeal will be a department member that did not serve as the hearing officer for a one on one hearing or serve as the hearing board’s advisor assigned to the original case/hearing.

5. The record on appeal is limited to a review of the written appeal document submitted by the appellant(s), the written record of the incident in question, any other documentation or information gathered or reviewed at the hearing, an interview with the original hearing officer or the advisor of the hearing board, and any alleged “new information” in an appeal based, in whole or in part, or a claim of “new information,” as described above in Part III.G.2.“a”.

6. The appeal review meeting is considered closed unless the Appellate Board or designated department member from Citizenship Education reviewing the appeal requests the respondent and/or complainant (if applicable) to attend the appeal review meeting to explain any possible “new information”. The decision to request the respondent and/or complainant (if applicable) to attend is at the discretion of the Appeal Board advisor and/or the Appeal Boards or designated department member of Citizenship Education who is reviewing the appeal.

7. If the appeal is granted, the student will receive written notification from the appeal board hearing advisor or department member of Citizenship Education who conducted the review that the appeal was accepted. This notification will be generally made 5-10 business days from the date of the decision. The Appellate Board or the designated department member from Citizenship Education who reviews the appeal can take one of the following actions:

a. If the appeal is granted based on the appropriateness of the sanction(s) issued, the matter will be referred to the hearing officer, Community Council Hearing Board, the Administrative Hearing Board, or the Sexual Misconduct Administrative Hearing Board, which originally heard the case to allow reconsideration of the original determination and/or sanction(s). In these instances a complete review of the student(s) conduct history, including previous sanction(s), will take place.

b. If the appeal is based on new information that was not available at the time of the hearing the matter will be referred to the hearing officers, Community Council Hearing Board, the Administrative Hearing Board, or the Sexual Misconduct Administrative Hearing Board, which originally heard the case to allow for consideration of the new information.
c. If the appeal indicates procedural error, the matter will be referred to a new hearing officer, Community Council Hearing Board, an Administrative Hearing Board, or a Sexual Misconduct Administrative Hearing Board, to allow for reconsideration of the results of the original finding(s).

8. If the appeal is not granted, the student will receive written notification from the advisor of the board or the hearing officer that the appeal has been denied. In the event an appeal is denied the decision made by the hearing board or the department member of Citizenship Education who reviewed the appeal and sanction(s) assigned will remain in effect. This notification will generally happen within 5-10 business days from the decision of the appeal review.

In cases involving harming behaviors, endangering behaviors, and/or policy violations outlined in the Sexual Misconduct Policy and Procedures, complainant(s) will be notified of the findings of the respondent(s).

The decision of an Appellate Board or the department member of Citizenship Education who reviewed the appeal cannot be appealed.

Sanctions are effective as of the date of the letter advising the student of the finding of responsibility and sanction. All appeals must be submitted five (5) days from the written delivery date of the findings letter.

9. Instructions for submitting an appeal:
   a. The student who wishes to appeal must contact the Department of Citizenship Education by email indicating an intent to appeal, you will then be sent instructions on how to properly appeal and provided with the Electronic Appeal Form as an attachment to the email (This is not an appeal, this is only requesting instructions on how to properly appeal).
   b. All appeals must be completed on the Electronic Appeal Form. Any section completed outlined in the Electronic Appeal Form may not exceed 2,500 words.
   c. Once the student receives the instructions and the Electronic Appeal Form and has reviewed the Appeal Process outlined in this document, the completed Electronic Appeal Form must be submitted within five (5) days of written delivery of the decision of the hearing forum via email to the appeals email address: studentconduct@colby-sawyer.edu where it will be forwarded and reviewed by an Appellate Board or by a designated department member for Citizenship Education.

Part IV: Accommodations for Students with Disabilities, Student Conduct File Maintenance and Review, Notifications, Publications, Refund Policy, and Interim Administrative Action

A. Accommodations for Students with Disabilities

By federal law, a person with a disability is a person who: 1.) has a physical or mental impairment; 2.) is regarded as having such an impairment, which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning.

A student requesting an accommodation to any portion of the student conduct process to include but not limited to, the investigation, prehearing meetings, hearing, follow up meetings etc. must follow the appropriate process for requesting an accommodation through the college’s Access Resources Department, which can be
located here. The department member from the Access Resources that approves any such request will need to notify the appropriate department member the student is working with the student that the accommodation has been reviewed, approved and shall be followed.

Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities act of 1990 requires the priority consideration be given to the specified methods requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

B. Student Conduct File Maintenance and Review

Student conduct files shall not be released to parties outside the college unless there is written consent from the student. However certain information from the files may be provided to individuals within or outside the college who have legitimate legal or educational interest in obtaining a student’s conduct file. If required to release records in compliance with a legal/court order or subpoena, the college will show due diligence in attempting to notify the student prior to complying as permitted by said order. Refer to the federal Family Educational Rights and Privacy Act of 1974 (FERPA) policy located with the college’s Registrar’s Office.

The Department of Citizenship Education retains disciplinary records in accordance with the following.

1. If a student is found not responsible for a violation of the Code of Community Responsibility, the record pertaining to the disciplinary proceeding will be shredded when the student withdraws or graduates from Colby-Sawyer College.

   Student conduct records with findings of not responsible will not be disclosed to other agencies or institutions inquiring about student conduct. These records kept for the purpose of appropriate record maintenance only. Any findings of not responsible are not and will not be considered by any hearing officer or hearing board for any subsequent hearings that may occur.

2. Records of minor disciplinary action (e.g., warning letter, fines $50 and under) are kept on file until the student withdraws or graduates from the college.

3. Records of fines $50 or more will be kept on file until the complete cost of the fine has been paid in full.

4. Records of general disciplinary action (e.g., behavioral agreement, disciplinary probation, housing contract probation, probationary suspension, and removal from housing) are kept on file for seven years.

5. Records of major disciplinary action (i.e., suspension, dismissal) are maintained permanently in the Department of Citizenship Education.

C. Student Official Transcript Notations

**Transcript notations:** As of August 15, 2016, any student conduct or Title IX Sexual Harassment cases that result in a sanction of suspension will be noted on the student’s official transcript for as long as the suspension is in effect. Any cases that results in a sanction of dismissal will be noted on the student’s official transcript which is held with the college’s Registrar’s Office. Students who withdraw pending a hearing of cases where a student is alleged to have violated the college’s endangering behavior, hazing, acts of retaliation sexual misconduct, Title IX Sexual Harassment a notation of withdrawal pending a conduct hearing will be noted on his or her transcript.
Request for Suspension or Withdrawal Pending a Hearing Transcript Notation Removal
Students may request (in writing) that suspension notations and withdrawal pending a hearing notations be removed from his or her academic transcript. Such request may be granted at the discretion of the vice president of student development and dean of students or designee.

Request specific to Suspension Transcript Notations:
In order to have a student conduct suspension notation removed from the student’s academic transcript, the student must complete all of the requirements of the assigned sanction associated with the disciplinary case in question. If the student has been involved in subsequent disciplinary incident(s) prior to such request, notation removal will not be considered until any subsequent matter(s) is resolved and any sanctions assigned for subsequent matter are fulfilled.

Factors that the vice president of student development and dean of students or designee will consider prior to the removal of suspension notation will include, but is not limited to: (a) The present demeanor of the student; (b) The student’s conduct subsequent to the violation; (c) The nature of the specific violation associated with the suspension, including the issue of premeditation and/or the severity of any resulting damage, injury, or harm to self or others.

To submit a petition for a notation to be removed, students must include the following:
1. A brief description of the incident and sanction imposed specific to the suspension.
2. A reflection on the petitioning student’s actions, how those actions have affected the petitioning student and others, and how the petitioning student might respond if faced with a similar situation in the future.
3. An account of petitioning student’s behaviors since the incident (for example: academic performance from other institutions, extracurricular activities, community service, etc.).
4. An explanation of why the petitioning student believes he or she would be a good candidate for a record notation to be removed.
5. Any supporting materials (letters of recommendations, proof of community service, etc.).

Request specific to Withdrawal Pending Transcript Notations:
In order to have withdrawal pending a student conduct hearing notations removed from the student’s academic transcript, the students must submit the following in their request (in writing):
1. A brief description of the allegations against the petitioning student at the time of withdrawal.
2. A reflection on the petitioning student’s actions, and how those actions have affected the petitioning student and others.
3. An account of petitioning student’s behaviors since the time of withdrawal (for example: academic performance from other institutions, extracurricular activities, community service, etc.).
4. An explanation of why the petitioning student believes he or she would be a good candidate for this notation to be removed.
5. Any supporting materials (letters of recommendations, proof of community service, etc.).
All request can be sent to:
Robin Davis - Vice President for Student Development and Dean of Students
Colby-Sawyer College
541 Main Street, New London, NH 03257
E-mail: ravis@colby-sawyer.edu

Generally, the record will NOT be removed from the academic transcript if the record involves any of the following: policy violations of endangering behaviors, retaliation, sexual misconduct, hazing, conduct which leads to the death or serious physical injury to another person, and Title IX Sexual Harassment policies.

Decisions made by the vice president for student development and dean of students or designee are considered final and there are not further actions that can be taken.

D. Parental Notification Policy
The college considers student conduct records to be part of a student's educational record, and as such the college complies with all applicable legislation, including but not limited to the Family Educational Rights and Privacy Act (FERPA). Further, the college’s primary relationship is with its students, and not with their parents or guardians.

However, the college recognizes that parents or guardians maintain an interest in their students' behavior while at college. Parents or guardians may play a positive role in preventing further misconduct. Therefore, the college may notify the parents or guardians of a dependent student who is placed on housing contract probation, housing contract revocation, probationary suspension, suspended, or is dismissed from the college. The college also reserves the right to notify the parents or guardians of any dependent student under the age of twenty-one who has been found responsible for violating any drug or alcohol polices. Notification may be deferred at the discretion of the vice president of student development and dean of students or his/her designee and/or a department member from the Department of Citizenship Education.

This notification is intended as a means to encourage communication between students and their parents or guardians to provide the greatest level of support for the student. Regardless of whether notification has occurred, the college's priority and obligation is to correspond and otherwise conduct business directly with students, and not through parents, guardians, or any other third party.

E. Withholding Grades, Diplomas, and Students Official Transcripts
The college reserves the right to withhold grades, diplomas or transcripts until all student conduct matters are resolved (to include completion of appeal process), restitution made, or fines paid.

F. Police Notification
As per the Memorandum of Understanding (MOU) between Colby-Sawyer College and the New London Police Department (NLPD), there are times when the college must notify NLPD of alleged conduct violations. Please contact the Department of Campus Safety at cssafety@colby-sawyer.edu for more specific information concerning these parameters.
G. Conduct Violation Publicity

In accordance with Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, commonly known as the Clery Act and Public Law 101-542, The Campus Security Act of 1990, as amended, Colby-Sawyer College reserves the right to publish, or otherwise communicate information about alleged violations of the Code, as well as alleged violations of public laws, including investigations in progress as specified by, but not limited to the provisions of the aforementioned law. Please go to the Campus Safety Web page here: to review the Annual Security Report and Annual Fire Report located under the Clery Act tab at the top of the page.

H. Refund Policy for Student Conduct Cases

No refunds for tuition, fees, or room and board are given for violations of the Code and/or other student conduct/disciplinary matters. Some examples of sanctioning that this refund policy applies to are, but not limited to, findings that result in the loss of housing, suspension, or dismissal of a student.

I. Interim Administrative Actions

In certain circumstances, the vice president of student development and dean of students and/or his/her designee, may impose an interim administrative action(s) such as, but not limited to, an interim non-contact order, interim restrictions for clubs/organizations/college sponsored activities or events, or sporting teams, interim residence hall removal or relocation, and/or interim suspension prior to a conduct hearing. Interim administrative restrictions are effective immediately without prior notice. Such actions may be taken when, in the professional judgment of the college official, a threat of imminent harm to persons or property exists.

Any interim administrative actions taken neither are a part of the hearing process or are the actions taken formal student conduct sanctions. It is taken in an effort to protect the safety and well-being of the respondent, of others, of the college, or of property. An interim administrative action is preliminary in nature; it is in effect only until a hearing for the alleged policy violation(s) occurs and a final outcome is rendered. Interim administrative actions imposed by the vice president for student development and dean of student or his/her designee and are not subject for appeal.

For the Supportive Measures specific to the college’s Title IX Sexual Harassment policies and procedures, refer to the Title IX Sexual Harassment Policies and Procedures.

Part V: Interpretation and Revision

1. Any question of interpretation regarding the Code shall be referred to the Department of Citizenship Education for final determination. You may contact the Department of Citizenship Education at citizenship@colby-sawyer.edu.

2. The Code shall be reviewed at least every three (3) years under the direction of the vice president for student development and dean of students.
Appendix “A”: Alcohol and Drugs

Expectations regarding Alcohol and Drugs
The college recognizes its duty to educate students, faculty, and staff members concerning the significant problems surrounding the misuse of alcohol and other drugs. The abuse and illegal use of alcohol and other drugs is detrimental to scholastic endeavors, enjoyable social activity, personal growth, and the welfare of the campus community.

Individual Responsibility Statement for Alcohol and Drug policies
All members of the Colby-Sawyer community are expected to be familiar with and abide by college policies governing the use of alcohol and other drugs. Members of the college community, as well as visitors and guests are legally responsible and also responsible to the college if their behavior, with respect to alcohol or other drug use, jeopardize themselves, the safety or welfare of any person, or result in damage to property. Alcohol or drug consumption is not a valid excuse for inappropriate behavior. Behavior resulting from intoxication, or any chemical substance which causes or can be expected to cause harm to any person, damage to property, or disruption to the college environment is not acceptable and will be dealt with directly through the policies and procedures outline throughout the Code, other relevant college policies, and/or the appropriate federal, state, or local law(s).

Refer to “Annual Security Report” as distributed annually by the Department of Campus Safety, which can be found here, for information about campus resources and New Hampshire State Laws regarding alcohol and illicit drug use as well as information about the Drug-Free Schools and Communities Act of 1989 (Public Law 101-226).

Alcohol: Alcohol Expectations, Resources, and Policies

Alcohol Policies
Confiscated alcohol will be disposed of by authorized college personnel (i.e., Campus Safety officers, Residential Education staff, etc.). Colby-Sawyer College authorized personnel have the right to question and receive clarification from any person regarding containers or rooms that may contain an alcoholic beverage.

If you are under 21

Underage possession of alcohol:

- Underage persons may not possess alcohol.
- Underage students who possess alcohol containers with any amount of alcohol will be considered in possession of alcohol.
- Underage students are prohibited from possessing and displaying alcohol containers.

NH Rev Stat § 179:10 (2007)

Underage consumption of alcohol:
Underage persons may not consume alcohol. The determination of whether or not an underage student has/has not consumed alcohol will be based upon:

1. a campus safety officer or law enforcement officer administering a Field Sobriety Test (FST);
2. a campus safety officer or law enforcement officer administering a Alcohol Screening Test (AST) i.e. alcohol saliva screening test (Alco Saliva Screen Test/ASST), Portable Breath Test (PBT) etc.; or
3. based on college official’s physical observation, odor, and need not rely on any mechanical, electrical or chemical sobriety instrument.
New Hampshire State Law prohibits underage persons to internally possess alcohol. Any underage person found to be possessing alcohol internally will also be charged with \textit{Underage consumption of alcohol}. \textit{NH Rev Stat § 179:10 (2007)}

\textit{Policies that limit the amount and location of alcohol consumption for those over 21 also apply to students under 21 and will serve as additional violations if applicable.}

\textbf{Students aged 21 years old or over}

Persons of legal age (21 years old or older) may possess or consume alcohol in residence hall student rooms where at least one of the assigned room and residents is of legal age and present. Persons of legal age may purchase and consume alcoholic beverages in a licensed campus area during college-sponsored events.

\textbf{Alcohol use during Vacation Housing Periods:}

Persons of legal age may not possess or consume alcohol during temporary housing periods. For example, student under a temporary housing contract for reasons such as, but not limited to: pre-season sports, holidays, time between end of semester and beginning of next semester etc.

For exceptions to this policy refer to the Department of Residential Education \textit{Vacation Housing policy located here}.

\textit{Any student under the age of 21 who violates the Alcohol during Vacation Housing Periods policy will be charged with Underage consumption/possession of alcohol and Alcohol during Vacation Housing Periods along with any other possible policy violations that may apply.}

\textbf{Supplying Alcohol to Minors:}

Persons of legal age may not buy, sell, provide, furnish, barter or exchange alcoholic beverages under any circumstances to/with minors.

New Hampshire also has a Party Host Liability Law. Students should be familiar with their responsibilities under this law. For more information refer to \textit{NH Rev Stat § 644:18 (2004)}

Persons of legal age when allowing an underage person to consume alcohol in the legal aged person’s assigned living space will more than likely be charged with \textit{Supplying alcohol to minors}.

\textbf{Open Containers:}

Consumption of alcohol and open containers of alcoholic beverages are prohibited in all common or public areas unless at a college sponsored event. Students consuming alcohol in private rooms with the doors open will more than likely be considered consuming alcohol publicly. \textit{NH Rev Stat § 265-A:44 (2007)}

\textit{Any student under the age of 21 who violates the open container policy will be charged with Underage consumption or possession of alcohol and Open Container along with any other possible policy violations that may apply.}

\textbf{Excessive Possession of Alcohol:}

Persons of legal age may not possess more than any one of the following:

- 30, 12-ounce containers or beer or equivalent;
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- 20, 12-ounce wine coolers;
- 12, 12-ounce mixed alcoholic packaged beverages;
- one half gallon of wine; or
- 1.75 liters of distilled spirits.

Any student under the age of 21 who violates the Excessive Possession policy will be charged with Underage consumption/possession of alcohol and Excessive Possession along with any other possible policy violations that may apply.

High Risk Consumption:
A student may not drink alcohol in a high risk manner or to the point of intoxication. Any student may not knowingly serve another to the point of intoxication, regardless of age. Behavioral symptoms associated with excessive consumption or intoxication may include: Impaired motor skills, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one’s breath, verbal and physical aggressiveness, destructive or disruptive behavior, and engaging in any behavior that may endanger oneself or others. The determination of high risk drinking or an intoxicated state will be based upon:

1. a campus safety officer or law enforcement officer administering a Field Sobriety Test;
2. a campus safety officer or law enforcement officer administering a Alcohol Screening Test (AST) i.e. alcohol saliva screening test (Alco Saliva Screen Test/ASST), Portable Breath Test (PBT) etc.; or
3. based on college official’s physical observation, odor, and need not rely on any mechanical, electrical or chemical sobriety instrument.

Students who comply with a Campus Safety Officer’s or Law Enforcements request to perform any Alcohol Screening Test and whose results reveal a Breath Alcohol Content (BrAC) of .08 with the use of a PBT or above or whose results reveal a above .08 or above with the use of a Alco Saliva Screen Test may have the option to participate in the college’s H.O.P.E. Program.

A Student who does not comply with a Campus Safety Officer's or Law Enforcement’s request to perform any Alcohol Screening Test will be referred to the New London Police Department as per the Memorandum of Understanding (MOU) between Colby-Sawyer College and the New London Police Department. This student will also likely be charged with Colby-Sawyer College's Failure to Comply policy.

Prohibited Alcohol:
Persons may not possess or consume grain alcohol on the college’s owned or leased property.

Any student under the age of 21 who violates the Prohibited Alcohol policy will likely be charged with Underage consumption/possession of alcohol and Prohibited Alcohol along with any other possible policy violations that may apply.

Common Sources of Alcohol:
Persons of legal age may not possess any common source(s) of alcohol on college owned or leased property. Common sources are only permitted at college sponsored events where the event has received authorization from the Department of Student Activities or the college’s events coordinator. Some examples of “common sources of alcohol” could include but not limited to:

- kegs;
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- party balls;
- bars – multiple containers of alcohol; and
- alcoholic punches – a homemade beverage consisting of wine or spirits mixed with fruit juice soda, water, etc. and/or served from a common container.

Any student under the age of 21 who violates the Common Sources of Alcohol policy will be charged with Underage Consumption or Possession of alcohol and Common Sources of Alcohol along with any other possible policy violations that may apply.

Drinking Practices that Promote Intoxication/Drinking Games:
Drinking practices that promote intoxication and any paraphernalia that support drinking practices are not allowed. Drinking games are contests or practices in which participants encourage or require participant(s) to consume alcohol. Drinking game paraphernalia could include cards, dice, or board games in the presence of alcohol. Some examples of Drinking Practices that Promote Intoxication could include, but are not limited to:
- Funneling;
- Card games that promote alcohol consumption: “Kings,” “Power Hour,” “Up and Down the River,” etc.;
- “Flip Cup”;
- “Pong”, “Beer Pong”, “Beirut”, “Water Pong”;
- “Quarters”; and
- Movie drinking games, song drinking games, name games, etc.

Any student under the age of 21 who violates the Drinking Practices that Promote Intoxication/Drinking Games policy will be charged with Underage consumption/possession of alcohol and Drinking Practices that Promote Intoxication along with any other possible policy violations that may apply.

Operating a Motor Vehicle
Students are prohibited from operating motor vehicles while under the influence of alcohol or drugs. NH Rev Stat § 265-A:2 (2013)

Failure to Register a Social Function:
Social events involving or serving alcohol must be registered with at least one person of legal age to consume alcohol and have one designated non-drinking person (sober host) responsible for monitoring the behavior of guests at the event. Only persons of legal age may register a social function.

For information about registering a social function within a residence halls space, contact Residential Education at residential@colby-sawyer.edu. For access to the Social Function Form refer here.
Drugs

Definition
Controlled drugs are defined by law as those having stimulant, depressant, or hallucinogenic effects upon the higher functions of the central nervous system and having potential for abuse or for physiological and psychological dependence or both. Controlled drugs are classified as: amphetamine, barbiturate, cannabis (marijuana), cocaine, morphine-type, hallucinogenic, and other stimulant and depressant drugs, excluding alcohol, nicotine, and caffeine. Synthetic drugs (synthetic marijuana, bath salts and the like) are also prohibited (possession of or by ingestion) at Colby-Sawyer College and New Hampshire state law.

Students who are suspected of possessing, using, or distributing synthetic drugs will be referred to an Administrative Hearing Board and face suspension or dismissal from the college. As per the college's Memorandum of Understanding (MOU) with the New London Police Department, information related to synthetic drug possession and use will be forwarded to the New London Police Department.

The following are prohibited behaviors:

**The sale or distribution of drugs** is interpreted as the:
- transaction;
- exchange;
- gift or offer of; and/or
- prescription, administration, and dispensation of drugs as defined above.

**The manufacture of drugs** is interpreted as the:
- compounding;
- mixing;
- cultivating, growing;
- processing and/or preparing of controlled drugs.

Students who are suspected of manufacturing or distributing drugs will be referred to an Administrative Hearing Board and face suspension or dismissal if found responsible. As per the college's memorandum of understanding with the New London Police Department, information relating to the possible manufacture or distribution of drugs will be forwarded to the New London Police Department.

**The possession of drugs** is interpreted as:
- having drug under control;
- controlling any premises or vehicle where a controlled drug is illegally kept or deposited; and/or
- aiding, assisting, or abetting a person, knowing that such a person is illegally in possession of a controlled drug.

As per the college’s Memorandum of Understanding (MOU) with New London Police Department, possession of 7 grams or more of marijuana, baggies, various measured-out bundles, a scale, cash, or a combination of the aforementioned is enough reasonable suspicion to charge a student with distribution. To access the Memorandum of Understanding with New London Police Department, contact Campus Safety at cssafety@colby-sawyer.edu.
The use of drugs is interpreted as:
- ingesting or inhaling controlled drugs;
- ingesting or inhaling another person's prescription drugs; or
- using over the counter medication or products in ways or for purposes other than their intended use.

The possession of drug paraphernalia, which is interpreted as paraphernalia which supports, facilitates, or disguises the use of drugs. Drug paraphernalia could include bongs, clips, pipes, toilet paper rolls with fabric softener on them, modified soda bottles, etc.

Operating a Motor Vehicle
Students are prohibited from operating motor vehicles while under the influence of alcohol or drugs. \( \text{NH Rev Stat § 265-A:2 (2013)} \)

Federal Drug Trafficking Penalties
Colby-Sawyer College students, employees, visitors and guests are responsible for informing themselves of federal and state laws prohibiting the use, possession, manufacture or sale of controlled drugs. The federal and state laws concerning controlled drugs are supported by Colby-Sawyer College. The college will not interfere with the legal prosecution of anyone who is apprehended using drugs. Drug violations may be either misdemeanor or felony offenses. For more information regarding Alcohol/Drug Laws please refer to the Annual Security Report which can be found here.

Sanctions for College Alcohol of Drug Policy Violations
The purpose of sanctions is to educate students and strengthen the community. When students violate the Code of Community Responsibility, one or more of the following sanctions may be imposed. Sanctions may include but are not limited to:
- Disciplinary Probation
- Educational Program or Service Project
- Restitution
- Fine
- Behavioral Agreement
- Loss of Privileges
- Housing Contract Probation or Suspension
- Probationary Suspension
- Suspension
- Dismissal

Resources On & Off Campus

On Campus
Refer to H.O.P.E. and alcohol education programs for a list of resources on campus surrounding drugs and alcohol.

Refer to http://colby-sawyer.edu/alcohol-drug-programs for a list of Alcohol and Drug Prevention Programs.
Off Campus Organizations

- Headrest Hotline: Call (603) 448-4400 or visit their Web page here (a 24-hour crisis intervention and information and referral hotline dealing with suicide, alcohol, other drug problems, AIDS, etc.)
- Alcoholics Anonymous: Call (800) 593-3330 or visit their Web page here (information and support regarding alcohol and alcohol abuse)
- Al-anon Alateen: Call (603) 369-6930 or visit their Web page here (a fellowship of young people, whose lives have been affected by someone else’s drinking)

Please contact Baird Health and Counseling at bhcc@colby-sawyer.edu for information of the off campus resources specific to drugs and alcohol.

NH State Laws Regarding Alcohol and Drugs
For additional information specific to New Hampshire State Laws regarding alcohol and illicit drugs refer to New Hampshire Revised Statues specific to drugs NH Rev Stat § 318-B:2 (2016) or contact New London Police Department for assistance.
Appendix “B”: COVID-19 Policies

COVID-19 Safety Commitment
As Chargers, we have always valued community and the impact each one of us has on it, and each other. Understanding the risks associated with COVID-19 and the profound impact it has on our interconnectedness, and each other’s health, plays a crucial role in us being able to navigate these uncertain times as safely as possible.

To align the college’s health and safety expectations with the well-being of each member of our community, and to provide everyone greater assurances as to what they can expect from each other in terms of a commitment to these standards, all students are required to acknowledge their adherence to the COVID-19 Safety Commitment as a condition of their return to campus this academic year. Resident students will do so as part of their check-in process and commuter students have received a similar document via email from the Vice-President for Student Development and Dean of Students.

The COVID-19 Safety Commitment will codify social and behavioral directives and policies to protect the community. It will include, but may not be limited to, such aspects as mandatory wearing of masks, willingness to be tested for COVID-19 upon arrival and at intervals, to make daily confidential reports of health status, to abide by rules for student functions, gatherings and events, to be placed in quarantine if exposed and in isolation with a positive diagnosis, and to abide by travel restrictions and visitor/guest prohibitions. Please refer to the Colby-Sawyer Code of Community Responsibility (CODE) for information pertaining to procedures for addressing alleged violations of college policy and related sanctions. In addition to all students signing the COVID-19 Safety Commitment, they will also be required to complete an online educational module before arriving on campus.

Students who are found to be responsible for violating COVID-19-related policies will be assigned appropriate sanctions based on the nature of the violation, the severity of the violation, the student’s conduct history, and/or other criteria as determined by the hearing officer or hearing board. Sanctions are typically based on precedent set by other similar cases. However, no two cases or students are exactly the same and sanctions may vary for seemingly similar incidents. Hearing officers and hearing board members are trained to determine what appropriate sanctions should be, including if a student can stay or not. Theoretically, a student who has a clear student conduct file but is found responsible for violating a COVID-19 policy that places self or others at risk could be sent home as a part of a student’s sanction. Please visit the “Sanction” section for a list of possible sanctions.

All residential and commuter students must agree to and sign the COVID-19 Safety Commitment agreement in order to be present on campus by the start of the fall semester.

Student Learner Categories

A. Residential Student Learner
If you are a residential student, you reside in college owned residential properties.
Residential student learners are expected to:
- Complete Daily Wellness checks.
- Complete/participate in random/directed testing.
The Code of Community Responsibility – Final
January 2021

- Comply with all quarantine or isolation directives.
- Practice physical distancing; wear face masks; refrain from attending social gatherings and/or other events that may create any undue increase of virus transmission.
- Comply with the revised travel policies and procedures as outlined here.
- Comply with the revised student guest and visitation policies and procedures as outline here and other COVID-19 related policies and procedures.

Residential student learners alleged to have violated these college policies and/or expectations will be referred to the Department of Citizenship Education for resolution.
- Student(s) who are found to be responsible for violating the revised travel, guest, quarantine, isolation and/or any other COVID-19 related policies will likely have their housing contract revoked, be restricted from campus or college sponsored events, and/or be suspended or dismissed from the college.

Note: No refunds for tuition, fees, or room and board are given for violations of the Code and/or other student conduct/disciplinary matters.

B. Remote Student Learners
If you are a remote student learner you have received approval from the Academic Affairs Coordinator to complete your studies remotely.

Students whose classes are fully remote and do not have a need to come to campus are not required to abide by the same COVID-19 testing protocols as students who take classes on campus (residential, commuters, hybrid learners). If remote student learners need to come to campus for any reason (i.e. meeting with administrator or professor, visiting a residential student on campus [excluding the residence hall or college owned houses], Hogan Sports Center, Library, and/or academic offices), those students must:
- Report to the Campus Safety office upon arrival and identify that they are a remote learner;
- Check-in with Campus Safety the reason for the visit to campus;
- Have their temperatures taken and answer the required health screening questions.

Students who have a temperature of 100 degrees Fahrenheit or greater, or who have answered yes to any of the health screening questions, will be required to immediately leave campus.

Remote student learners are not permitted to visit college owned residential properties for any reason without receiving prior approval from the department of Residential Education, Campus Safety, Citizenship Education, Vice President/Dean of Students or Designee. If a remote student learner receives approval to enter a residential facility, the remote student learner will need to be accompanied by a professional staff member of one of the departments outlined above.

Remote learners who come to campus on any regularly scheduled basis are expected to:
- Complete Daily Wellness checks.
- Complete/participate in random/directed testing.

Remote student learners alleged to have violated these college policies and/or expectations will be referred to the Department of Citizenship Education for resolution.
The Code of Community Responsibility – Final
January 2021

- Student(s) who are found to be responsible for violating the revised travel policy (as applicable), guest, quarantine, isolation and/or any other COVID-19 related policies will likely be banned from campus, and/or be suspended or dismissed from the college.

Note: No refunds for tuition, fees, or room and board are given for violations of the Code and/or other student conduct/disciplinary matters.

C. Commuter Student Learners
If you are a commuter student learner you have received approval from Residential Education to NOT reside in College owned residential properties.

D. Hybrid Student Learners
If you are a hybrid student learner you have received approval from the Academic Affairs Coordinator to attend some classes in-person and other classes remotely. (Email Academic Affairs Coordinator) Hybrid student learners are permitted to reside on campus or off campus. *Hybrid student learners who live on campus, are residential student learners for the purposes of this document and those expectations apply.

Commuter student learners and hybrid student Learners are expected to:
- Complete Daily Wellness checks.
- Complete/participate in random/directed testing
- Minimize travel as much as possible; practice physical distancing; wear face masks; refrain from attending social gatherings and/or other events that may create any undue increase of virus transmission.
- Comply with the revised travel policies and procedures as outlined here.
- Comply with the revised student guest and visitation policies and procedures as outline here and other COVID-19 related policies and procedures.

Commuter and hybrid student learners alleged to have violated these college policies and/or expectations will be referred to the Department of Citizenship Education for resolution.

- Student(s) who are found to be responsible for violating the revised travel policy (as applicable), guest, quarantine, isolation and/or any other COVID-19 related policies will likely be restricted from campus and college sponsored events, and/or be suspended or dismissed from the college.

Note: No refunds for tuition, fees, or room and board are given for violations of the Code and/or other student conduct/disciplinary matters.

Chargers Untied
#Chargers United-Keeping Each Other Safe

COVID-19 Concerns – Community and Individual Behavior Report Form
This portal receives concerns about the behavior of any Colby-Sawyer College community member (student, faculty, or staff) whose behavior conflicts with the COVID-19 Safety Commitment and associated college policies enacted to reduce the transmission of COVID-19.

The vulnerability of our campus health during the pandemic requires that all members of our community take an active role in understanding the College policies that define modifications to behaviors, expectations, and the access to facilities.

When we witness or learn about behaviors that are not in keeping with our COVID-19 policies, it is important that we take corrective action immediately—because our ability to maintain an in-person experience depends on it.

Some conflicting behaviors result from simple forgetfulness or a misunderstanding of policies. Often in those cases, a simple reminder or further clarification of the policy, may be appropriate. When behaviors are intentional, egregious, and/or malicious, those individuals can expect corrective actions that swiftly protect the community from their behaviors. Students whose behaviors fall into this domain can expect to be removed from campus immediately and face formal disciplinary action through the college’s students conduct system. Reported concerns involving faculty and staff will be directed to Human Resources and the employee’s supervisor for action.

Please use the COVID-19 Concerns – Community and Individual Behavior Report Form to submit a concern to the Department of Campus Safety for a Colby-Sawyer student, faculty, or staff member who may not be following the COVID-19 Safety Commitment and related college policies. Ideally, submitting a report prior to the concerning behavior occurring is best, as it allows the college to be proactive in addressing the behavior.

We Are-Chargers United-Keeping Each Other Safe

Campus Testing
Testing the Colby-Sawyer community for COVID-19 is a major component of the CSC Safe Return Plan as health experts consistently advise that testing is paramount to controlling the spread of the virus. It is important to detect infections before transmission since a large percentage of transmission occurs from people who do not know they are infected. To implement our testing plan, Colby-Sawyer has partnered with Broad Institute, one of the leading biomedical labs in the country.

A. Colby-Sawyer’s COVID-19 Testing Plan
   CSC Safe Return Phases I and II testing – upon return to campus, all students, faculty and staff are tested.

B. Symptomatic Testing
   Baird Health and Counseling Center (BHCC) will conduct rapid antigen testing for symptomatic students. Students that wish to be tested for travel or other non-symptomatic or non-exposure related reasons will be referred to state testing at NH.gov. Symptomatic employees should contact their primary care provider.

C. Ongoing Testing
   A random sampling of Colby-Sawyer community members will be individually tested weekly via Broad Institute to identify infected but non-symptomatic individuals. This surveillance testing is planned for Wednesday each
week. Varsity athletes will participate in weekly testing based on the risk level of the sport played. This testing will be done via SIREM pooled saliva test and done on Monday mornings starting Feb 1.

The CSC Safe Return Plan includes entry testing, symptomatic testing and ongoing and regular testing for everyone on campus. Testing upon arrival to campus requires each residential student to quarantine in one’s residence hall room as outlined in the CSC Safe Return Plan. Testing is then ongoing for the course of the semester with a changing pool of students, faculty and staff on a weekly basis. The testing schedule is managed by the Baird Health and Counseling Center in concert with Human Resources.

The testing procedure will require students and employees to self swab their lower anterior nasal cavities at our designated on-campus testing location-. This test is relatively non-invasive and will be self-administered. A contracted courier service will deliver the tests to the Broad lab and we expect to have the results in 24-48 hours. Individuals will receive an e-mail from CRSP.careevolve to access their individual test results. Persons that have inconclusive test results or a positive test will not receive an e-mail but will be contacted by Baird or HR directly l with instructions on next steps.

D. Contact Tracing
Colby-Sawyer College will work in collaboration with the New Hampshire Department of Health and Human Services to conduct contact tracing for students, faculty and staff. Multiple Colby-Sawyer employees have been certified in contact tracing if needed.

E. Testing Definitions

*Isolation*
Isolation is defined as the separation of a person who is known, or reasonably believed to be, infected with a communicable disease and are potentially infectious from those who are not infected so as to prevent the spread of the communicable disease. Isolation for Colby-Sawyer purposes may be voluntary or compelled by a campus authority. People in New Hampshire who are in isolation are also under active monitoring.

*Quarantine*
Quarantine is defined as the separation of a person exposed to a communicable disease, but not yet symptomatic, from others who have not been exposed so as to prevent the possible spread of the communicable disease. Quarantine for Colby-Sawyer purposes may be voluntary or compelled by a campus authority. NOTE: Students and employees experiencing COVID19-like symptoms, or any other illness, are to “stay in” so as not to expose others to potential illness. This may include roommates without symptoms if the symptomatic person is pending a test result. There is no defined time period to this process which can be concluded when the person does not have a fever without medication and symptoms are improving. Persons who are “staying in” and are not known to have COVID-19 or been directly exposed to the virus are not recorded in the above figures.
CSC Safe Return Plan
For the Colby-Sawyer College Safe return plan for the Spring 2021 semester refer to this link.

Daily Wellness Check
- Students and employees are expected take their temperature each day to ensure they do not have a fever above 100 degrees Fahrenheit.
- Students and employees will also need to answer the health screening questions asked upon or prior to arrival to campus.
- Students who do not feel well should stay in their room and contact Baird Health at 603-526-3621 or call their personal health provider for evaluation.
- Students should be sure to let their professors know that they will not be in class, and ask about potential options for attending class remotely.
- The college will monitor information obtained through Daily Wellness Checks to gauge the amount of illness on campus, and check-in with students who report experiencing symptoms.

For More information on the Daily Wellness Check refer to the CSC Safe Return Plan section of the COVID-19 Health and Wellness Web page.

Face Masks/Face Coverings
- Face masks, defined as a cloth face covering that covers both the nose and mouth, will be required in classrooms and other indoor spaces except when actively eating or drinking.
- Face masks will be required in classrooms and in indoor spaces, except when actively eating or drinking. Masks will not be required outdoors when a 6-foot distance can be maintained.
- Roommates do not have to wear face masks while in their residence hall rooms unless a guest is also in the room. Students who are carpooling with individuals who are not their roommate/s should wear a face mask.
- In addition, face masks are required outdoors when within 6 feet of others.
- Face shields, defined as a plastic barrier covering the length of one's face, by themselves do not fulfill the college’s mask mandate, and are only deemed acceptable when a proper face mask is worn underneath.

Note: On Nov. 19, Gov. Chris Sununu issued a statewide mask mandate requiring the use of face masks in all public places. The mandate took effect Nov. 20 and will remain in place until at least Jan. 15, 2021. The state's mandate aligns with both the college’s and Town of New London’s requirements on face masks, meaning that individuals who continue to follow local policies while elsewhere in the state will be in compliance with this ordinance.

For further information pertaining to Face Masks/Face Coverings refer to the CSC Safe Return Plan located here.

Physical Distancing
Students, employees, guests and visitors are expected to maintain distance of 6-feet or greater from others whenever possible in order to reduce the potential for transmission of COVID-19.
Sanitation

- Colby-Sawyer College Facilities Management staff will continue to keep campus as clean as possible. Facilities Management uses cleaning practices in accordance with CDC guidelines. Common areas and high-touch surfaces are cleaned with greater frequency. Students and employees are asked to help out by wiping down classroom surfaces and keeping personal spaces clean. Disinfectant will be available in classrooms.
- Non-residence hall spaces, including classrooms, meeting spaces and common areas, receive regular cleaning and disinfection. Disinfectant is available in classrooms to allow students, faculty and staff to disinfect seats, desks and keyboards between classes.
- Frequent handwashing is essential in helping limit the transfer of COVID-19 and hand sanitizer will be available when students and employees are in areas where handwashing is inconvenient.
- Plexiglass barriers may also be installed in high-traffic areas to reduce the potential risk of COVID-19 spread.
- Hand Hygiene and Respiratory Etiquette: Students are to practice proper hand washing and respiratory etiquette (e.g., cover my mouth when I sneeze or cough).

For further information pertaining to Sanitation refer to the Steps to Enhance Safety of College Community section of the COVID-19 Health and Wellness Web page.

Quarantine, Isolation & Positive COVID-19 Cases

Isolation and Quarantine help protect the campus by preventing exposure to community members who have or may have a contagious disease. The following information applies to Colby-Sawyer Students. Information for Faculty and Staff members can be found on the myHR COVID-19 Employee Resources page.

For the full Isolation and Quarantine definitions refer to the Quarantine, Isolation, & Positive COVID-19 Cases section of the COVID-19 Health and Wellness Web page.

A. Positive COVID-19 Cases/Isolation

- Any student confirmed through testing to be infected with COVID-19 must cooperate with the Baird Health and Counseling Center (BHCC) regarding at-home or on-campus isolation, and provide New Hampshire Department of Health and Human Services (NHDHHS) and/or BHCC information regarding close contact with others during the defined contact period.
- If COVID-19 illness is confirmed (irrespective of symptomatic or not), students will be isolated per current CDC and NHDHHS recommendations. Isolation may include returning home or to a non-residence hall, designated on-campus facility, by a campus authority. BHCC personnel will participate in an isolation support team to assure student’s needs are met and that privacy is maintained to the extent possible. BHCC personnel will contact the student regularly during isolation and make a determination for release from isolation when appropriate.
- In accordance with CDC and state guidelines, students confirmed to have been infected with COVID-19 who have symptoms and were directed to care for themselves (See: Self-Care During Isolation and Quarantine) at home may discontinue isolation and be cleared for a return to campus under the following conditions:
  - At least 10 days have passed since symptom onset and,
At least 24 hours have passed since resolution of fever without the use of fever-reducing medications and
other symptoms have improved (to include but not limited to: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea/vomiting, or diarrhea)

- Released from Isolation by BHCC (See: Student Discharge Process from Isolation)
- Students confirmed to have been infected with COVID-19 who never develop symptoms may be given permission by BHCC to discontinue isolation 10 days after the date of their positive test.

Restrictions (on-campus isolation)
Residential students who choose or need to isolate on campus are restricted to the Colby-Sawyer campus and must physically separate in their designated/assigned isolation location. Meals will be delivered by Dining Services to the assigned isolation location. Visitation by anyone, except for those also assigned to the isolation location, is strictly prohibited during the isolation period. Students who are in isolation may not go outside (unless authorized by BHCC) or have any contact with others except for medical personnel and other students also assigned to the isolation location (as long as that student is also confirmed COVID +).

Restrictions (off-campus isolation)
Students who choose or are asked to isolate off-campus are restricted from returning to Colby-Sawyer College property or attending college sponsored events unless formally cleared to do so by BHCC. Isolated students will receive a written notice informing them that they are approved to return to campus to either finish isolation on campus (at a designated/assigned location) or that they have been cleared from isolation restrictions.

Meals
BHCC or a designated campus authority will e-mail Dining Services who will in-turn email meal request form links to the isolating student to complete and then submit. The isolating student will be able to pick up their meals from the residence hall lounges. Meals will be delivered at the following times:
- Breakfast: between 8 and 8:30 am
- Lunch: between noon and 12:30 pm
- Dinner: between 5 and 5:30 pm

Academics
The isolating student should e-mail their professors and let them know that they will not be in class. They should inquire about joining the class remotely and/or continuing with the class session and assignments from their remote location. BHCC will contact the Office of the Academic Vice-President when a student will be out of class for more than a week, and that office will notify the applicable professor(s) for the isolating student. Students instructed by BHCC or designated campus authority to isolate will be allowed to learn remotely during that time. The faculty member will not be told why the student is out because of privacy, just that they are not available to attend class in person.

Student Discharge Process from Isolation
Students can only return to regular campus activities or participate in college sponsored events (i.e. going to class, the dining hall, visiting friends, attending a sporting event off campus etc.) on the date provided by BHCC that they are cleared to do so.

B. Exposure to Positive Cases/Quarantine
All students determined to have been in close contact with a person with suspected or confirmed COVID-19 will be required to quarantine for a designated period of 14 days. Testing will be determined in consultation with BHCC.

Close contact
Is defined as being within 6 feet for a total of 10 cumulative minutes or more, beginning 48 hours prior to illness onset or date of specimen collection associated with the positive COVID-19 test, whichever is earlier.

Restrictions (on-campus quarantining)
Residential students who choose to quarantine on campus are restricted to the Colby-Sawyer campus and must physically separate in their residence hall rooms except to use their residence hall restroom. Quarantining students may also go to their residence hall’s common area to pick-up boxed meals, which will be delivered by Dining Services. Visitation by anyone is strictly prohibited during the designated quarantine period. Quarantined students may go outside alone wearing a face covering at all times and without any contact with others.

Restrictions (off-campus quarantining)
Students who choose or are asked to quarantine off-campus or are a commuter student or a hybrid student learner who live off campus are restricted from returning to Colby-Sawyer College property or attending college sponsored events unless formally cleared to do so by BHCC. Quarantining students will receive a written notice informing them that the quarantined student is approved to return to campus to either finish quarantine on campus or that they have been cleared from quarantine restrictions.

Meals
BHCC or a designated campus authority will e-mail Dining Services who will in-turn email meal request form links to the quarantining student to complete and then submit. The quarantining student will be able to pick up their meals from the residence hall lounges. Meals will be delivered at the following times:

- Breakfast: between 8 and 8:30 am
- Lunch: between noon and 12:30 pm
- Dinner: between 5 and 5:30 pm

Academics
The quarantining student should e-mail their professors and let them know that they will not be in class. They should inquire about joining the class remotely and/or continuing with the class session and assignments from their remote location. Baird Health and Counseling Center will contact the Office of the Academic Vice-President when a student will be out of class for more than a week, and that office will notify the applicable professor(s) for the quarantining student. Students instructed by BHCC or designated campus authority to quarantine will be allowed to learn remotely during that time. The faculty member will not be told why the student is out because of privacy, just that they are in quarantine.
Student Discharge Process from Quarantine
Although students may receive communication from NHDHHS that they are cleared from Quarantine restrictions, students can only return to regular campus activities or participate in college sponsored events (i.e. going to class, the dining hall, visiting friends, attending a sporting event off campus etc.) on the date provided by BHCC that they are cleared to do so.

B. Self-Care During Isolation and Quarantine
COVID-19 has no cure as of right now. The symptoms for young adults tend to be that of the common cold. To take care of oneself while in isolation and treat symptoms:

- Drink lots of fluids
- Take Tylenol or Ibuprofen as directed
- Gargle salt water for sore throat
- Take Sudafed or a Decongestant for pressure, congestion or runny nose, headache, etc.
- Take Mucinex for cough

Email or call Baird Health and Counseling Center at 603-526-3621 or bhcc@colby-sawyer.edu

C. Suspected COVID-19 Cases or Exposure
Students experiencing symptoms consistent with COVID-19 but who have not tested positive must report that they are experiencing symptoms on the Daily Wellness Check and/or directly to BHCC at 603-526-3621. A suspected case is any student that responded “Yes” to a symptom on the Daily Wellness Log.

Students with symptoms consistent with COVID-19 (and their roommates) will be asked to isolate (quarantine for roommate) and a determination for segregation and release will be made on one or more of the following:

- 24 hours with no fever without the use of fever-reducing medications and
- COVID-19 type symptoms have improved (to include but not limited to: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea/vomiting, or diarrhea)
- Students will be evaluated and tested for COVID-19 if medically directed. If the student tests positive, they become a confirmed case.
  *Students with an initial negative test due to symptoms may be released to return to campus.
- Students with potential exposures to a person likely or confirmed to be infected with COVID-19 or who have traveled to an at-risk area will be asked to quarantine for a designated period following their exposure or return from travel.

Restrictions (on-campus Isolation)
Residential students who choose or need to isolate on campus are restricted to the Colby-Sawyer campus and must physically separate in their designated/assigned isolation location. Meals will be delivered by Dining Services to the assigned isolation location. Visitation by anyone, except for those also assigned to the isolation location, is strictly prohibited during the isolation period. Students who are in isolation may not go outside (unless authorized by BHCC) or have any contact with others except for medical personnel and other students also assigned to the isolation location.
Restrictions (off-campus Isolation)
Student who choose or are asked to isolate off-campus or are a commuter or non-residential hybrid student learner are restricted from returning to Colby-Sawyer College property or attending college sponsored events unless formally cleared to do so by BHCC. Isolated students will receive a written notice informing them that the student in isolation is approved to return to campus to either finish isolation on campus (at a designated/assigned location) or that they have been cleared from isolation restrictions.

Student Discharge Process from Isolation
Students can only return to regular campus activities or participate in college sponsored events (i.e. going to class, the dining hall, visiting friends, attending a sporting event off campus etc.) on the date provided by BHCC that they are cleared to do so.

D. Third Party Exposure/Potential Exposure
• Students, who are in close contact with an individual who has been in close contact with another person who has tested positive for COVID-19, will be evaluated and may be required to quarantine and/or test (-) for COVID-19 dependent on the situational judgment of BHCC.
• Signs providing occupancy limitations have been posted throughout campus buildings and can also be found in the occupancy and dining page. To aid with physical distancing, no space may exceed the COVID-19 occupancy limits assigned to that particular location. In incidents where those present double the posted occupancy or exceed occupancy in such a way that the situation is creating a health and safety concern, quarantining is required until a negative COVID-19 test is obtained and the student is informed by BHCC that their quarantine status has been lifted.

E. Violations of the Quarantine Isolation Policies and Expectations
Should a Colby-Sawyer student violate the quarantine or isolation policies and/or expectations, the college reserves the right to immediately revoke their on-campus privileges to include housing and restrict them from campus. Additionally, alleged violations of these policies and/or expectations will be referred to the Department of Citizenship Education for resolution.

Student Events
• Limited events will be permitted with restrictions based on space, location and in accordance with state guidelines. Event size will be limited based on COVID-19 occupancy levels established for the particular venue.
• Public spaces such as the Hogan Sports Center will schedule openings so that non-students and students are utilizing the facility at different times. Spaces will be disinfected before each use and cleaning products will be available for the member/student.
• The Lodge will be open to Colby-Sawyer students, faculty and staff but not to the public. Occupancy will be reduced and seating spaced to reflect physical distancing policies.
• Common areas such as student lounges can be used up to the maximum COVID-19 occupancy allowed for physical distancing. COVID-19 occupancy capacity signs will be posted outside common areas that will instruct students to comply with distancing and space capacity limits.
• Student gatherings in residence hall rooms are limited to the established COVID-19 occupancy posted signs for each space. Students will have 24-hour card access to their assigned residence halls. After quarantine, students may visit residence halls other than their own, but will not have card access. Building access will need to be
granted by their host. If approved by their roommate(s), current students can be guests in a student room; all residents must wear face coverings if any room occupants are from a different room. Consent to having others in privately assigned spaces can be withdrawn at any time. For the full Guest policy visit the Department of Campus Safety Web page here. For the full Visitor policy visit the Department of Campus Safety Web page here.

- Social functions (gatherings in residence hall rooms which exceed the posted COVID-19 occupancy) are prohibited.
- Advance coordination with the Student Activities Office must be completed before campus events occur to ensure all agreed upon safety guidelines are followed.

For further information specific to Student Events refer to the COVID-19 Campus Life, Events & Activities Web page.

**Campus Occupancy**

Signs providing occupancy limitations have been posted throughout campus buildings. To aid with physical distancing, no space may exceed the occupancy maximum displayed on the associated posted sign. Only authorized personnel can remove/replace occupancy signs. In the event an occupancy sign needs to be replaced, contact Campus Safety at cssafety@colby-sawyer.edu with the building and door number.

Density in classrooms has been dramatically reduced to accommodate physical distancing. Like dining facilities, classrooms and labs are unique environments where additional protocols, including the ability to wipe down surface areas between uses and the use of masks, are now required. Though mixed guidance exists regarding best practices for physical distancing – the Department of Education encourages 3 feet, while the World Health Organization suggests 1 meter and the Centers for Disease Control And Prevention recommends 6 feet – the college is encouraging students to maintain a minimum physical distance of 6 feet whenever possible.

As teams have been working on each room, the college’s first priority was decreasing density dramatically. Second, teams sought to maintain a minimum of 3 feet of separation between instructor and students whenever possible. Currently, seating separation ranges from a maximum of 6 feet to a minimum of 3 feet. Student seating is arranged to minimize potential close contacts and eliminate the possibility of close contacts if possible. Please note that new COVID-19 capacity limits are for student seats only and do not include the instructor.

**A. Classrooms**

As a means to provide physical distancing consistent with the guidance provided by the CDC and State of New Hampshire, classroom seating calculations were set to provide 36 square feet of space per student (6’ by 6’ area) after ensuring 6 feet of area between the wall of the instructional area to the first student seat to ensure adequate instructional space.

Each classroom has been reconfigured to achieve the 6’ requirement. Most classrooms, with the exception of some computer labs and science labs, were configured with seating facing forward in one direction. While this seating arrangement may be inconsistent with group learning and project-based student interaction, this layout was necessary to maximize space and reduce the potential for virus transmission.
B. **Common Areas and Elevators**

Common areas (i.e. game room, residential building student lounges, open student spaces, etc.) have been reconfigured in accordance to recommendations made for 6’ physical distancing, including the repositioning of seating and tables, the removal of some fixtures and the use of restrictive seat labels to be placed on some multi-seat furnishings. Elevators on campus will have a maximum of two people at one time and the use of **masks** is mandatory.

C. **Residence Halls**

Residence Hall rooms have been reconfigured to provide residential students with the number of beds and space they will need in their room according to roommate formation preferences. Current Colby-Sawyer students can be guests in student rooms, if approved by all roommates. The total number of student guests and residents may not exceed the room occupancy posted for that space. Visitors from outside of the college will be asked to remain in the common area of the residential community, with proper face coverings and physical distancing enforced. See the full Guest Policy for more information.

Additionally, signage will be posted within residential communities and outside of common areas (lounges/kitchens/laundry rooms) which outline the number of students that can be in each particular area, and to reiterate physical distancing policies.

**Resident Assistants**

Resident Assistants will undergo an extensive training program focused on building connection and community, and the importance of COVID-19 related safety measures. Resident Assistants will work with students to determine efficient use of shared bathroom and kitchen spaces, to complement housekeeping’s rigorous cleaning schedule.

Resident Assistants will be an important resource to students in becoming positive, connected members of the community. Resident Assistants have been asked to help connect students to activities on campus and help them establish meaningful connections.

**Dining Services**

A. **Move In**

- Students will be given a Colby-Sawyer blue reusable bag at check in with a logo or welcoming design imprinted on it for use in picking up meals.
- Beverages and snacks will be available at each of the check in areas for students and families.

B. **Week 1 Quarantine**

- Dining services will set up three mini cafeteria style operations at the Curb, the Dining Hall and Wheeler Hall. There will be a marked entrance and exit from each location and traffic will only go one way.
- Students will pick up their meals at a designated time and location by floor or RA group. Volunteers will check off students as they arrive.
- Foods provided will be at traditional lunch and dinner times but will include additional beverages, snacks and breakfast foods. Food will be presented in covered containers and not served so as to reduce contact
between quarantining students and dining services staff and volunteers. Unlike the fall, no one will order ahead and a variety of options will be provided.

- Vegan and vegetarian options, gluten free options and other options will be offered and will be labelled by allergen. Students with multiple or unusual allergies will be asked to reach out to the Dining Services Office before arrival on campus so that staff can make accommodations.
- Students will be able to take whatever they want just as they can in the dining hall.

C. Week 2 Quarantine
- Dining services will set up three mini cafeteria style operations at the Curb, the Dining Hall and Wheeler Hall. There will be a marked entrance and exit from each location and traffic will only go one way.
- Students will pick up their meals at a designated time and location by floor or RA group. Volunteers will check off students as they arrive.
- Foods provided will be at traditional lunch and dinner times but will include additional beverages, snacks and breakfast foods. Food will be presented in covered containers and not served so as to reduce contact between quarantining students and dining services staff and volunteers. Unlike the fall, no one will order ahead and a variety of options will be provided.
- Vegan and vegetarian options, gluten free options and other options will be offered and will be labelled by allergen. Students with multiple or unusual allergies will be asked to reach out to the Dining Services Office before arrival on campus so that staff can make accommodations.
- Students will be able to take whatever they want just as they can in the dining hall.

D. Regular COVID-19 Dining Operations
Tables in the dining hall have been rearranged and some have been removed in order to accommodate physical distancing. Visual guides for walking routes have been posted and dining services staff will assist guests in implementing safe-serving strategies.

Instead of self service, staff will serve most items while others will be made available in individual packages. Beverage dispensers have been retrofitted and are now “no touch,” and all silverware will be disposable and come from touch free dispensers. Staff will wipe down all touch points in the serving area with disinfectant every 30 minutes, with the area to be shut down twice a day for an hour for a more thorough cleaning. Tables will be wiped with disinfectant in between guests. Four cleaning stations have also been set up around the dining hall so that students can wipe down their table before or after use if desired. Plexiglas barriers have been installed and tables added in the serving area to help promote physical distancing.

Like all students, faculty and staff, dining services staff will have their temperature taken daily and must answer daily health screening questions prior to starting of their workday. Staff will also be required to wear masks at all times.

Nobody outside of the campus community is permitted inside the dining hall, including guests and visitors.

- **Masks** are required in the dining room, serving area and the Lodge, except when seated and actively eating or drinking.
- A physical distance of at least 6-feet from others must be maintained while standing or moving through the dining hall and serving area.
Furniture is arranged 6-feet apart with only four to six chairs per table to promote physical distancing. Furniture should not be arranged.

• Reusable containers are not allowed in the dining hall.
• New single use cups are required when refilling beverages.
• All food is available for takeout in single use disposable containers.
• Employees are welcome to get meals in the dining hall but for take-out only. Due to space limitations, seating in the dining room is for students only.
• Commuter students can purchase dining hall eat-in meals with cash, credit card, meal plan or dining dollars with the cashier.
• Lodge food can only be ordered online and paid for with cash, credit card, and department charge or dining dollars. These meals require an ID that matches the order for pick-up.
• If picking up a meal for someone else, bring their ID to swipe.
• Follow all directional signage in dining services facilities.
• Due to limited seating, when finished your meal please exit the dining room to open eating and walking space for others.

For further information specific to Dining Services refer to the COVID-19 Occupancy and Dining Web page.

Training
Students will complete and comply with all required COVID-19 related training. Students will receive information in the coming weeks regarding specifics on training.

Visitors and Guest
Students are to follow the college’s Visitor & Student Guest policy and, when allowed, ensure that any non-Colby-Sawyer student guest brought to campus be aware of and comply with all related policies and procedures.

A. Visitors
General Public

Visitors and non-CSC student guests from within New England may enter the campus from sunrise to sunset daily upon completion of the daily wellness screening questions seen below. Campus visitors/non-CSC guests may enter academic buildings, athletic facilities and other facilities only during normal business hours, or in accordance with published facility hours and policies. Visitors/non-CSC guests may not enter college student residence halls and college houses unless they have written authorization from the Department of Residential Education by emailing residential@colby-sawyer.edu.

All visitors and guests are required to adhere to all COVID-19 related policies – including the mandatory use of face masks in all indoor spaces, as well as outdoors when within 6 feet of others.

Nobody outside of the campus community is permitted inside the dining hall, including guests and visitors.

Policy Regarding Visitor Access to the College Campus
• The New Hampshire Safer at Home directive allows travelers from New England states (Maine, Vermont, Massachusetts, Connecticut, Rhode Island) to enter the state without having to quarantine. Those traveling
to New Hampshire from non-New England states for an extended period of time are asked to self-quarantine for 10 days following the last date of travel. If the person is asymptomatic and has a negative PCR test on or after day 7 of quarantining, they may shorten or end their quarantine.

- Visitors and non-CSC student guests from New England or from outside of New England who have already self-quarantined for 10 days or have a negative PCR test on or after a 7-day quarantine, are required to complete a Health Screening Form at the Colgate Hall Welcome Desk upon arrival. Anyone who exhibits COVID-19 symptoms and/or answers yes to any one of the following screening questions will be asked to leave campus.
  - Do you have a fever of 100.4 degrees Fahrenheit or higher today or in the past 24 hours? [a touchless thermometer will be provided upon arrival to campus]
  - Have you had close contact with someone who is suspected or confirmed to have COVID-19 in the past 14 days?
  - (Note: healthcare workers caring for COVID-19 patients while wearing appropriate personal protective equipment should answer "no" because they are not considered to have a COVID-19 exposure)
  - Have you traveled OUTSIDE of NH, VT, ME, MA, CT, or RI in the past 14 days?
  - Are you experiencing any UNEXPLAINED respiratory symptoms such as runny nose, nasal congestion, sore throat, cough or shortness of breath?
  - Are you experiencing any UNEXPLAINED general body symptoms such as muscle aches, chills or severe fatigue?
  - Are you experiencing any abnormal gastrointestinal symptoms such as nausea, vomiting or diarrhea?
  - Have you experienced a change in your sense of taste or smell?
- Campus visitors/non-CSC guests who have successfully completed the health screening process may enter administrative/academic buildings, athletic facilities and other facilities only during normal business hours, or in accordance with published facility hours and policies. Visitors/non-CSC guests may not enter college student residence halls and college houses unless they have written authorization from the Vice President of Student Development and Dean of Students or designee. *Refer to the Student COVID-19 Guest Policy

**Campus Tours**

- The college will resume campus tours beginning Saturday, Sept. 26, for those who reside within New England. Visitors will be required to wear face masks at all times, and must complete the daily wellness screening questions referenced above. Visitors will also be asked to sanitize their hands upon arrival to campus, and will be continually directed to hand sanitizing stations at various locations throughout the tour. Tours will be limited to a maximum of eight guests, and will not include stops in the dining hall or residence halls. Instead, guests will be offered a “ready-for-you” lunch at the conclusion of weekday tours.

**Campus Events**

- Visitors may attend academic, athletic and other events on campus, and will be admitted subject to parking availability, seating capacity, invitation and other restrictions.
Athletic Facilities

- Recreational use of campus athletic facilities for walking, jogging, bicycling, outdoor courts and fields and indoor facilities is allowed, subject to the time restrictions above, and in accordance with the Athletic Facilities Rental Policy and other policies established by the Athletics Department and the Hogan Sports Center. At all times, the college’s students have priority for the use of facilities.

Employee Restrictions

- Personal work-site visits by friends, family and/or children, should be limited to visits of short duration in cases of emergency. At this time, while considering the COVID-19 pandemic, it is inappropriate, other than in a valid emergency, to bring friends, family and/or children to the workplace. Employees must receive authorization from their supervisors prior to any work-site visits by friends, family and/or children.

For the full Visitors policy visit the Department of Campus Safety Web page here.

B. Guests

- Guests Who Are Colby-Sawyer Students
  - Colby-Sawyer students are permitted to host Colby-Sawyer student guests with the permission of their roommate(s). Students wishing to visit other residence halls must coordinate with their student host(s) who will provide access to their building.
  - Colby-Sawyer student guests will be permitted to stay overnight in a Colby-Sawyer residential student’s room upon completion of a CSC Student Guest Registration Form signed by all roommates. Completed forms must be submitted to Campus Safety prior to the Colby-Sawyer student guest visiting the room, and no later than the start of quiet hours (Sunday through Thursday, 10 p.m.; Friday and Saturday, 1 a.m.). The total number of student guests and residents may not exceed the room occupancy posted for that space.
  - *Remote student learners (students who have received approval from the Academic Affairs Coordinator to complete their studies remotely) MAY NOT enter the residence halls or be hosted as a “student guest”. [see: Residential, Remote, Commuter, Hybrid, Student Learners Definitions and Expectations of Student Learners]

For the full policy regarding Colby-Sawyer Student Guests visit the Department of Campus Safety Web page here.

- Guest Who Are Non-Colby-Sawyer Students
  - Colby-Sawyer students will be permitted to host two non-Colby-Sawyer student guests on campus at a time, during the hours between sunrise and sunset. Non-CSC guests/visitors are restricted from entering any residential building or space unless the CSC student and non-CSC guest/visitor has received an exception to enter the facility (i.e.: authorized student move-in/move-out, etc.).
  - Upon arrival to campus, non-Colby-Sawyer student guests must report to the Campus Safety office, where they will take their temperature and answer health screening questions. Non-Colby-Sawyer student guests who have a temperature of 100 degrees or above, or answer yes to any of the health screening questions, must leave campus immediately. Non-Colby-Sawyer student guests who do not
have a temperature and answer no to health screening questions will be allowed to register as a non-Colby-Sawyer student guest after providing a valid photo identification and a completed Non-CSC Student Guest Registration Form.

For the full policy regarding Non-Colby-Sawyer Student Guests visit the Department of Campus Safety Web page [here](#).

For the full Guest policy visit the Department of Campus Safety Web page [here](#).

**Student Travel**

With the exception of arriving for the start of term and returning home at the end of term, students *enrolled on-campus who are studying on campus are not permitted to travel outside of the local area for non-essential or non-pre-approved travel. The local area is limited to the New Hampshire towns of Andover, Bradford, Newbury, New London, Springfield, Sunapee, Sutton, Warner, West Lebanon, and Wilmot. There are no exceptions. In the event of a family emergency, or other situations considered “essential for travel”, students must contact the Vice President for Student Development and Dean of Students (VPDOS) office to request support and seek exception. Students are not permitted to travel beyond the local area without approval from the VPDOS office. To request such exception, please complete the travel request form.

Students who travel outside of New England should note the destination on their daily health questionnaire. Students traveling outside of New England may be required to quarantine for 14 days and/or participate in COVID-19 testing upon their return as determined by the Director of Baird Health and Counseling Center. Students who develop COVID-19-related symptoms during or after travel must not return to campus and should notify their primary care provider. Students who return to campus after traveling and develop symptoms while on campus should report them when answering their daily health questionnaire. Baird Health and Counseling Center will contact the student and discuss next steps.

For the full *Student Travel* policy visit the Department of Campus Safety Web page [here](#).
Appendix “C”: Sexual Misconduct

Introduction
Colby-Sawyer College does not tolerate sexual harassment. An act of sexual harassment represents a fundamental failure by a community member to recognize and respect the intrinsic worth and dignity of another. Acts of sexual harassment are harmful and illegal and will not be tolerated at Colby-Sawyer College. Such acts corrupt the integrity of the educational process, are contrary to the mission and values of the Colby-Sawyer College community and are against college policy. All forms of prohibited conduct under this policy are regarded as serious college offenses, and violations will likely result in discipline, including the possibility of separation from the college. State and federal laws also address conduct that may meet the college’s definitions of prohibited conduct, and criminal prosecution by state, local, and/or federal law enforcement agencies may take place independently of any disciplinary action instituted by the college.

In order to address incidents of sexual misconduct that do not fall within the definition of Title IX Sexual Harassment, the college has two policies that address allegations of sexual misconduct policies: (1) this policy and (2) for students: the college’s Code of Community Responsibility and for employee’s: employee handbook(s) maintained through the college’s Human Recourses Department. These policies are interrelated. If the allegations forming the basis of a formal complaint (Under the Title IX Sexual Harassment Policies and Procedures), if substantiated, would constitute prohibited conduct under both policies, then the grievance process set forth in this Title IX Sexual Harassment policy will be applied in the investigation and adjudication of all of the allegations. Refer to the Title IX Sexual Harassment Policies and Procedures: http://colby-sawyer.edu/assets/student-life/citizenship/Title-IX-Sexual-Harassment-Policies-and-Procedures.pdf.

The college’s Sexual Misconduct policy applies only to certain conduct, as defined under that policy. Specifically, the college Sexual Misconduct policy applies to forms of sexual misconduct that do not fall under the scope of the Title IX Sexual Harassment policy, including Sexual Exploitation, Improper Conduct related to Sex, and the college’s Sexual Harassment. The college’s Sexual Misconduct policy also applies to certain contact that would otherwise be prohibited under the Title IX Sexual Harassment policy (e.g., Sexual Assault, Domestic Violence, Dating Violence, and Stalking under the Title IX Sexual Harassment policy), but which must be dismissed under the Title IX Sexual Harassment policy because they do not meet jurisdictional requirements.


Prohibited Conduct
This policy addresses college Sexual Misconduct. College Sexual Misconduct encompasses all of the prohibited conduct described below that occurs on the basis of sex that does not fall within the definitional or jurisdictional requirements of the federal regulations underlying the Title IX Sexual Harassment policy.

Examples of prohibited conduct under this college Sexual Misconduct policy may include:

- Conduct that occurs in the local vicinity (e.g. a off-campus residence not owned or leased by the college) but outside of a college program or activity; or
- Conduct that occurs outside of the United States when the conduct is associated with a college-sponsored program or activity, such as travel, research, or internship programs; or
• Conduct that involves the use of the college’s computing and network resources from a remote location, including but not limited to accessing email accounts.

In determining whether alleged conduct violates this policy, the college will consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships.

The prohibited behaviors listed below are serious offenses and will result in college discipline. Prohibited conduct involving force, duress, coercion or inducement of incapacitation, or where the perpetrator has deliberately taken advantage of another individual’s state of incapacitation, will be deemed especially egregious and may result in immediate dismissal or termination of employment. The respondent’s consumption of alcohol or the use of illegal substances does not constitute a mitigating circumstance when it contributes to a violation under this policy. Refer to the colleges Human Resources Employee Handbook for information pertaining to employees.

The following prohibited behaviors fall under the college’s Sexual Misconduct policy only if they fall outside the jurisdictional requirements of the Title IX Sexual Harassment Policies and Procedures:

1. **Quid Pro Quo Sexual Harassment:** An employee of the college conditioning the provision of an aid, benefit, or service of the college on an individual’s participation in unwelcome sexual conduct;

2. **Sexual Assault:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault can occur between individuals of the same or different sexes and/or genders. This includes the following:
   a. **Rape:** The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
   b. **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
   c. **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
   d. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
   e. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
   f. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

3. **Domestic Violence:** Violence committed: (a) by a current or former spouse or intimate partner of the victim; (b) by an individual with whom the victim shares a child in common; (c) by an individual who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) by an individual similarly situated to a...
spouse of the victim under the domestic or family violence laws of the jurisdiction in which the felony or misdemeanor crime of violence occurred; (e) by any other individual against an adult or youth victim who is protected from that individual’s acts under the domestic or family violence laws of the jurisdiction in which the felony or misdemeanor crime of violence occurred. For purposes of this policy, an intimate partner is defined as an individual with whom one has or had a short- or long-term relationship that provides romantic and/or physical intimacy or emotional dependence. Intimate relationships can occur between individuals of the same gender or different genders and may include (but are not limited to) marriages, civil unions, dating relationships, “hook-up” relationships, relationships in which partners are characterized as “girlfriends” or “boyfriends,” and relationships between individuals with a child in common.

4. **Dating Violence**: Violence committed by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting individual’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship. This includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

5. **Stalking**: Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to: (a) fear for the individual’s safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of the Stalking definition: Course of conduct means two or more acts, including acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about an individual, or interferes with an individual’s property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

6. **College Retaliation pertaining to the Title IX Sexual Harassment Policy or the college’s Sexual Misconduct Policy**: The college expressly prohibits any form of retaliatory action against any member of the college community who in good faith: (1) files a report, complaint or grievance under this policy (or with an external entity); (2) opposes in a reasonable manner an action or policy believed to constitute a violation of this policy; or (3) participates in college investigations, compliance reviews, or discipline proceedings under this policy.

Depending on the circumstances referenced above, retaliatory acts may include (but are not limited to):

- Adverse employment action;
- Adverse action relating to participation in an educational or working program;
- Unreasonably interfering with the academic or professional career of another individual;
- Engaging in conduct which constitutes stalking, harassment, or assault;
- Engaging in efforts to have others engage in retaliatory behavior on one’s behalf.

The college retains the right to charge an individual for making a materially false statement in bad faith during the course of an investigation, proceeding, or hearing under this policy, but will not conclude that any individual has made a materially false statement in bad faith solely based on the determination regarding responsibility. Complaints alleging retaliation under this policy, including for the exercise of rights under this policy, must be filed in accordance with this policy and will be addressed promptly and equitably. Where the individual allegedly retaliating is
not affiliated with the college and not otherwise subject to its policies, the college will process the complaint and take appropriate measures.

Notwithstanding the above, the exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this policy; and charging an individual with a violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

The jurisdictional requirements of the Title IX Sexual Harassment policy do not apply to the following prohibited behaviors, that is, the following prohibited behaviors do not fall under the Title IX Sexual Harassment policy regardless of where or under what circumstances they occur:

7. **College Sexual Harassment:** Under the college’s Sexual Misconduct Policies: Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when:
   a. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work or participation in social or extracurricular activities;
   b. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
   c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance by creating an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic or social environment. The effect will be evaluated based on the perspective of a reasonable person in the position of a complainant.

A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

8. **Sexual Exploitation** Under the Sexual Misconduct Policies: Sexual exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of one's own or another's sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Sexual exploitation may involve individuals who are known to one another, have an intimate or sexual relationship, and/or may involve individuals not known to one another. Examples include, but are not limited to:
   a. Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved, or disrobing of another without permission;
   b. Non-consensual streaming of images, photography, video or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
   c. Prostituting another individual or aiding in or facilitating the sexual assault of another;
   d. Knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge; and
e. Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

9. **Improper Conduct Related to Sex.** Unprofessional or inappropriate conduct that does not fall under other forms of Title IX Sexual Harassment or college Sexual Misconduct, but that is sexual and/or sex based in nature and has the effect of unreasonably interfering with an individual’s educational experience, working conditions, or living conditions.

10. **Consent, Incapacitation, and Coercion.** The college considers consent as a voluntary, informed, un-coerced agreement through words or actions freely given, which could be reasonably interpreted as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; when one individual overcomes the physical limitations of another individual; and when an individual is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the individual is in a state of incapacitation.

Important points regarding consent include:
   a. Consent to one act does not constitute consent to another act.
   b. Consent on a prior occasion does not constitute consent on a subsequent occasion.
   c. The existence of a prior or current relationship does not, in itself, constitute consent.
   d. Consent can be withdrawn or modified at any time.
   e. Consent is not implicit in an individual’s manner of dress.
   f. Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
   g. Silence, passivity, or lack of resistance does not necessarily constitute consent.
   h. Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.

**Coercion** includes the use of pressure and/or oppressive behavior, including express or implied threats of harm, intimidation, which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amount to coercion if they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity.

For purposes of this policy, **incapacitation** (or incapacity) is the state in which an individual’s perception or judgment is so impaired that the individual lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where an individual knows or ought reasonably to have understood that the individual is incapacitated, constitutes Title IX Sexual Harassment as defined by this policy.

**Anonymous Reporting**

If a reporting individual makes an anonymous report, the college’s Title IX Coordinator will consider how to proceed, taking into account the individual’s articulated concerns; the best interests of the college community; fair treatment of all individuals involved; and the college’s obligations under Title IX.
A complainant cannot file a formal complaint anonymously.

Any individual may make an anonymous report concerning a violation of this policy through the college’s Sexual Misconduct Report Form. Anonymous reports may be made by downloading the Sexual Misconduct Report Form, printing out the form and completing and returning it to the Director of Campus Safety. Completing a Sexual Misconduct Report Form report can be made without disclosing the reporting individual’s own name, identifying the respondent, or requesting any action. However, if the reporter provides limited information, the college may be limited in its ability to take action. Completing a Sexual Misconduct Report Form is not a Confidential Resource and making a report to a sexual misconduct report form may result in a college review or investigation.

**Employees’ Responsibility to Report**

In emergency situations, if there is a suspected crime in progress or imminent or serious threats to the safety of anyone, employees must immediately contact the Department of Campus Safety by dialing (603)526-3300 or contacting local law enforcement (see Emergency Resources and Law Enforcement).

In non-emergency situations, employees (other than those formally designated as Confidential Resources under this policy must promptly report suspected violations of this policy to the college’s Title IX Coordinator. Some students with special responsibilities, including Residential Education Staff (e.g. RA’s) must promptly report alleged violations of this policy to college’s Title IX Coordinator.

Students are encouraged to report any suspected violation of this policy (after consulting a Confidential Resource as appropriate).

**Campus Resources**

- **Vice President of Student Development and Dean of Students: Title IX Coordinator**
  - Robin Burroughs Davis
  - Phone: (603) 526-3752
  - Address: Room 105 Ware Student Center

- **Title IX Deputy Coordinators**
  - Lisa Lacombe (students)
    - Phone: (603) 526-3775
    - Address: Room 001 Hogan Sports Center
  - Laura Sykes (faculty)
    - Phone: (603) 526-3760
    - Address: Room 131 Colgate Hall
  - Heather Zahn (staff, administration and visitors)
    - Phone: (603) 526-3584
    - Address: Room 230A Colgate Hall
• **Student Development Office**
  Phone: (603) 526-3758
  Address: 541 Main Street, New London, NH, 03257
  For inquiries with academic concerns, changes in housing or other accommodations and referrals to other resources.

• **Area Coordinators (AC’s):** Area Coordinators are live-in professionals who play a critical role in the lives of students in the residence halls. The AC is a member of the Student Development team who reports directly to the Director of Residential Education.

• **Resident Assistants (RA’s):** RAs are undergraduate students living in the residence halls who are employed by Residential Education and trained to refer students to campus resources.

**Confidential Resources**

Information shared with Confidential Resources (including information about whether an individual has received services) will be disclosed to the college Title IX Coordinator or any other individual only with the individual’s express written permission, unless there is an imminent threat of serious harm to the individual or to others, or a legal obligation to reveal such information (e.g., if there is suspected abuse or neglect of a minor).

Campus Confidential Resources include:

**For Students:**

• **On-Campus: Baird Health & Counseling Center during regular business/office hours (9AM-3PM)** - (603) 526-3621
  **Riverbend Counselors (after regular business/office hours)** – 1-844-743-5748 or by contacting Campus Safety at (603)526-3300

• **Off Campus: Crisis Center of Central New Hampshire** - (603) 225-7376
  The CCNH provides confidential crisis support 24 hours a day relating to rape, sexual assault, or dating and domestic violence via its 24-Hour Crisis Line: (866) 841-6229

• **Off Campus: New London Hospital** – (603) 526-2911 and is located at 273 County Rd., New London, NH 03257
  New London Hospital provides 24 hour emergency care and is located a mile and a half from campus.

**For Employees:**

• **Employee Assistance Plan** - (888) 209-7840
• **Crisis Center of Central New Hampshire** - (603)225-7376
  The CCNH provides confidential crisis support 24 hours a day relating to rape or sexual assault via its 24-Hour Crisis Line: (866) 841-6229

• **New London Hospital** – (603) 526-2911
  New London Hospital provides 24 hour emergency care and is located a mile and a half from campus.
For Colby-Sawyer Visitors:

- Crisis Center of Central New Hampshire - (603)225-7376
  The CCNH provides confidential crisis support 24 hours a day relating to rape or sexual assault via its 24-Hour Crisis Line: (866) 841-6229
- New London Hospital – (603) 526-2911

Emergency Resources and Law Enforcement

A crime that occurs off campus should be reported to the police department having legal jurisdiction. Campus Safety is here to assist you in the event you are unsure of the appropriate police department to contact. Call 603-526-3675 or, in case of an emergency, call 9-1-1. While CSC does not operate any off-campus student organization facilities, the college does own residences in close proximity to campus. While the New London Police Department has primary jurisdiction in all areas off campus, Campus Safety Officers respond to student-related incidents that occur on property owned and leased by the college. For more information about filing a criminal complaint with law enforcement, please contact:

Department of Campus Safety:
24/7/365: (603) 526-3300
Administrative: (603) 526-3675

New London Police Department:
Emergency: 9-1-1
Non-Emergency: (603) 526-2626