

Student Handbook

2016 – 2017

SKIDMORE

COLLEGE

2016-17 Student Handbook of College Policies

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The Skidmore College Student Handbook, produced each year by the Student Affairs division of Skidmore College, presents the policies and procedures concerning the Skidmore Honor code and students' rights and responsibilities. Each student is responsible for becoming familiar with all the information contained in the Student Handbook.

Skidmore College reserves the right to add, delete, revise, or change the information, including all policies and procedures, set forth in the Student Handbook. All students are encouraged to review the Student Handbook at the start of each academic year and as necessary throughout the academic year.

The Student Handbook may be accessed electronically at: http://www.skidmore.edu/student_handbook/

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Letter from the President

To the Students of Skidmore College,

Greetings and best wishes to you. Whether you are returning for the next stage in your Skidmore journey or are arriving for your initial experience here as a new student, please know that you are a valuable member of this very special community. Skidmore is YOUR College; it is where you belong.

My hope is that, over the coming year, you will take full advantage of what the College has to offer and experience the many ways in which “Creative Thought Matters.” Our broad liberal arts curriculum represents virtually the full spectrum of human cultural and intellectual accomplishment. Explore it!

Learn how the disciplines represented here interrogate the world – how they ask and answer questions, and how they relate to one another. Learn from the pervasive presence of the visual and performing arts throughout our campus. Join – and contribute to – student organizations (especially those dedicated to making a positive difference in the Skidmore community), in the Saratoga region, or in the world at large. Discover your own cause, your own way of leaving the world a better place than you found it. Participate in a sport, either as a member of a varsity, club, or intramural team or as an individual seeking to enhance your own health and wellness. And be sure to take advantage of our setting in the vibrant small city of Saratoga Springs and our proximity to the unparalleled opportunities afforded by the Adirondacks.

Seize the opportunity to get to know your Skidmore professors. These teacher-scholars are here to share their expertise – indeed, their passion – for their disciplines that has led them to choose the life of a college professor. They write scholarly books and articles; they author acclaimed novels and books of poetry; they create lasting works of art. In doing so, they contribute to national and international conversations that advance human knowledge. They want to include you in those conversations as well: to engage you in your own search for knowledge and help you see connections across the disciplines, to prepare you to make your own contribution as a novelist, scientist, historian, business or political leader, or educator in your own right.

Get to know one another. Your fellow students will become friends you will cherish for a lifetime, but only if you take the time to know them for the individuals they are. As we work on becoming a more diverse and inclusive community, one that is open to the many ways of constructing a human life, do your own part to stretch yourself – to go beyond the boundaries of your personal history. Reach out to someone whose experiences may have been different from your own, and get to know her or him as a friend. Take responsibility for your own actions, and look out for one another. Above all, approach one another in a spirit of respect: expect respect from others; give your respect to them. The Skidmore Honor Code sets out your basic obligations as members of this academic community. It is a privilege to be at Skidmore, not a right. Show that you understand the responsibilities entailed by this privilege by taking our values to heart – not just during your brief sojourn here but as a foundation for your entire life as a Skidmore graduate.

My wife Marie Glotzbach and I want to get to know you as well. We look forward to meeting you on campus, at a play, at a Fireside Chat, or open President's office hours, at an athletic contest, at a lecture, or just hanging out in the dining hall.

Eleanor Roosevelt once advised, "Do something every day that scares you." I would say it this way: Do something every day that challenges you, something that takes you out of your comfort zone. Let Skidmore help you take one more step on your journey toward becoming the person you most want to become.

Cordially,

A handwritten signature in cursive script that reads "Philip A. Glotzbach". The signature is written in black ink and is positioned to the right of the word "Cordially,".

Philip A. Glotzbach
President

Alma Mater

*Skidmore, we rejoice to sing thy praise
Hail, thou mother of our college days,
Loud we'll sing and long adore thee.
Alma Mater, Ave!*

*Slowly time rolls on in endless flow
As these brightest seasons come and go,
Surely onward wilt thou guide us.
Alma Mater, Ave!*

*When our happy college years are past
And we leave thy gracious halls at last
Thou remainest aye to cherish
Alma Mater, Ave!*

Words and music by Henry T. Moore
President, Skidmore College
1925-1957

College Calendar

FALL SEMESTER 2016

August	22-24	Mon-Wed	FYE London Program Orientation
September	1-4	Thurs-Sun	Pre-Orientation Programs
September	4	Sun	New and Transfer Students Arrive
September	5	Mon	Returning Students Arrive
September	7	Wed	Classes Begin
September	9	Fri	Internship for Credit Deadline
September	11	Sun	Add Deadline
September	21	Wed	Drop/Grade Option (S/U) Deadline
October	12	Wed	Yom Kippur (No Classes)
October	14-16	Fri-Sun	Celebration Weekend
October/November	31-4	Mon-Fri	Advising Week
November	8	Tues	Registration for Spring 2017 Begins
November	16	Wed	Withdrawal Deadline
November	23-27	Wed-Sun	Thanksgiving Vacation
December	14	Wed	Last Day of Classes
December	15-18	Thurs-Sun	Study Days
December	19-22	Mon-Thurs	Final Examinations
December	23	Fri	Fall Semester Ends
January	2	Mon	Fall Grades Due from Faculty
January	31	Tues	Incomplete Grades Due from Faculty

SPRING SEMESTER 2017

January	20	Fri	New and Transfer Students Arrive
January	21	Sat	London Returning Students Arrive
January	22	Sun	Returning Students Arrive
January	23	Mon	Classes Begin
January	25	Wed	Internship for Credit Deadline
January	25	Wed	Add Deadline
February	6	Mon	Drop/Grade Option (S/U) Deadline
March	11-19	Sat-Sun	Spring Vacation
March	27-31	Mon-Fri	Advising Week
April	4	Tues	Registration for Fall 2017 Begins
April	12	Wed	Withdrawal Deadline
May	2	Tues	Last Day of Classes
May	3	Wed	Academic Festival
May	3	Wed	Honors Convocation
May	4-7	Thurs-Sun	Study Days
May	8-12	Mon-Fri	Final Examinations
May	11	Thurs	Senior Grades Due from Faculty
May	13	Sat	Spring Semester Ends
May	15-19	Mon-Fri	Senior Week
May	20	Sat	Commencement
May	23	Tues	Non-Senior Grades Due from Faculty
June	23	Fri	Incomplete Grades Due from Faculty

Introduction

Skidmore College is an educational community committed to learning and personal development. The offices and programs in Student Affairs support, deepen, and extend the academic program by providing cocurricular and residential programs that promote academic accomplishment, citizenship, diversity, leadership, and personal responsibility.

The cocurricular and residential programs at Skidmore consider students to be adults ready to take responsibility for their learning, the quality of their social environment, and their daily life. We support your rights to privacy, freedom of inquiry and expression, and your participation in College governance. We also expect you to meet high standards for academic integrity and personal conduct.

Staff members in the offices and programs in Student Affairs work with students as mentors, coaches, advisors, tutors, guides, and confidants. They help you assess your academic and personal needs, point out opportunities, and facilitate your access to those opportunities. They will work with you to foster a social environment conducive to learning, and they will expect you to observe the Honor Code, expectations for academic integrity, the Code of Social Conduct, and other College policies and regulations. They will also hold you accountable for any misconduct.

The first section of this handbook discusses the Honor Code, expectations for academic integrity, the Code of Social Conduct, and the College conduct processes. It describes the College's expectations and your obligations as members of the community. Please review the Honor Code, expectations for academic integrity, and the Code of Social Conduct, and make a commitment to integrity and personal responsibility. The health and vitality of our learning community rests on the honor system.

The second section of the handbook presents the Student Bill of Rights. The third section describes various College policies and information about personal safety. Take the time to review this material.

The final section of the handbook lists College offices and programs. This section includes information about how to contact these offices.

A NOTE ON PRONOUN USE

Skidmore College is committed to principles of equal opportunity and diversity. An extension of this commitment is creating a community that is welcoming and inclusive to individuals of all gender identities and expressions. One measure of this extension is using a third-person plural personal pronoun (they/them/their) to refer to a single individual.

Section I: Honor Code

Established at the request of the student body in 1921, the Skidmore College Honor Code defines the guiding principles of honesty, respect, and integrity that should inform all choices and behavior patterns in the Skidmore academic and social communities. Each student, in matriculating at Skidmore College (or engaging in any Skidmore-sponsored activity or program as a nonmatriculated student), agrees to the following code:

I hereby accept membership in the Skidmore College community and, with full realization of the responsibilities inherent in membership, do agree to adhere to honesty and integrity in all relationships, to be considerate of the rights of others, and to abide by the College regulations.

It is the responsibility of every student and every member of the faculty and staff, both by example and by instruction, to encourage students to embrace the standards of the Honor Code. If a student believes that another student may have violated the Honor Code, the student is honor-bound to speak to the student who is suspected to have committed the violation, and if there is reason to believe that a violation may have occurred, to report that student to the Dean of Students and Vice President for Student Affairs (DoS/VPSA) or other appropriate member of the staff or faculty. (Note: All references to the DoS/VPSA include the Dean or their designee.) If a member of the faculty is aware that someone has committed an academic violation, faculty legislation requires that the faculty member report the violation to the Associate Dean of Faculty (ADoF or to Director of Academic Advising) with responsibility for student academic affairs. It is only through a combination of ethical commitment, guidance, and sanctions that the Honor Code can become a living set of principles for our community.

As one regular manifestation of the Honor Code at Skidmore, at the end of each examination students must write and sign the following statement:

I have not witnessed any wrongdoing, nor have I personally violated any conditions of the Skidmore College Honor Code, while taking this examination.

This statement, provided by the instructor and transcribed by each student, should be included in every exam. Failure on the part of a student to write and sign this statement makes it incumbent upon the faculty member responsible to speak to the student about a possible Honor Code violation.

Honor Code Commission

The Honor Code Commission is a committee of the Student Government Association established to help educate students about the values, responsibilities, and consequences of the Honor Code. The commission also works with other areas of the student governance system and the deans of the College to recommend changes in the Honor Code system.

Honor Code Violations

The goal of the Honor Code is to help all members of the Skidmore community develop as individuals as well as to assure the growth, safety, and ethical conduct of the community as a whole. While this handbook focuses, as is appropriate, on student responsibilities and rights, the faculty and administration of the College also pledge to live by the principles of the Honor Code and to honor a host of professional standards as well. The faculty and staff are, however, generally answerable to codes and processes defined by the faculty and administration of the College, not to the hearing processes defined in this handbook.

Social Conduct

Basic College regulations are vital to community welfare, student safety, and supporting high standards of ethical integrity. Skidmore College expects all members of the community to conduct themselves in a manner supportive of its educational mission. The College considers violations of these regulations as breaches of the College Honor Code that may lead to various sanctions, up to and including expulsion. In addition to following basic College regulations, community members are also obligated to observe the laws and ordinances of local, state, and federal governments. The College may press charges against community members engaged in criminal activities on or off the campus. All currently enrolled Skidmore students are required to report any circumstance that results in their arrest (including but not limited to noncustodial or field arrests) to the Office of Student Conduct and Conflict Resolution within 72 hours after release.

Respect for the person, property, ideas, and perspectives of others and a commitment to intellectual and personal growth are values essential to membership in the College community. The policies listed below are illustrative only, not exhaustive; the College has the right and obligation to act upon conduct not in accord with the informing principles of the Honor Code or Code of Social Conduct, whether or not expressly proscribed below.

Students are provided a copy of the Student Handbook annually in the form of a link on the Skidmore College website. Students are responsible for having read and abiding by the provisions of the expectations for academic integrity and the Code of Social Conduct.

(The Skidmore College Student Code of Conduct is partially adapted from The NCHERM Group Model Developmental Code of Student Conduct and is used here with permission.)

Jurisdiction

The Honor Code, expectation for academic integrity, Code of Social Conduct, and the student conduct process apply to the conduct of individuals who are considered students from initial enrollment through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. An enrolled student can be matriculated, enroll on a per course basis, audit courses, and/or be dually enrolled. The College retains conduct jurisdiction over students who have chosen to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student's ability to reenroll and/or obtain official transcripts and/or diploma; all sanctions must be satisfied prior to reenrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures, and should the former student be found responsible, the College may revoke that student's degree.

The Honor Code and Code of Social Conduct apply to behaviors that take place on the campus or at College- sponsored events, and may also apply to conduct occurring in other locations when the Vice President of Student Affairs/Dean of Students or designee determines that the off-campus conduct affects a substantial College interest. A substantial College interest includes, but is not limited to:

- Any situation where it appears that the student's conduct may present or be indicative of a danger or threat to the health or safety of others in the campus community;
- Any situation that significantly impinges upon the rights, property, or achievements of others in the campus community, or significantly breaches the peace and/or causes social disorder; and/or

- Any situation that is detrimental to the educational mission, operations, and/or interests of the College.

The Honor Code and Code of Social Conduct may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if the violations occur, or if evidence of policy violations is posted, online. The College does not regularly search for this information but may take action if and when College officials become aware of such information.

The Honor Code and Code of Social Conduct apply to guests of community members. Community members who host guests are expected to take reasonable precautions to ensure that their guests comply with the Honor Code and the Code of Social Conduct, and are subject to discipline if they fail to take such precautions. Visitors and guests may seek resolution of violations of the Code of Social Conduct committed against them by students of College.

There is no time limit on reporting violations of the Honor Code or the Code of Social Conduct; however, the longer someone waits to report an offense, the harder it becomes for College officials to obtain information and witness statements and to make determinations regarding alleged violations. Though anonymous complaints are permitted, the nature of anonymous reports makes investigation, determination, and remediation more difficult and, at times, impossible. The College therefore encourages persons reporting violations to provide their names and contact information whenever possible. College email is the primary means of communication with students. Students are responsible for all communication delivered to their College email address.

Academic Integrity

Definitions and Guidelines for Penalties

The following guidelines define for the Skidmore community a context of values within which individual and institutional decisions on academic integrity can be made. The guidelines, developed by the Integrity Board and reviewed by the Honor Code Commission, Appeals Board, the faculty at large, and the President's Office, reflect Skidmore's serious commitment to academic honesty. No set of guidelines can, of course, define all possible types or degrees of academic dishonesty; thus, the following descriptions should be understood as examples of infractions rather than an exhaustive list, and the recommended penalties are presented as guiding examples, as well. The guidelines are intended as touchstones for complainants and for the judicial boards of the College, and as a deterrent to potential offenders. Individual faculty members and the judicial boards will continue to judge each case according to its particular merits and demerits. **It is every student's responsibility to become familiar with the standards of academic integrity at the College. Violations of the academic Honor Code will be reported on law school applications, transfer applications, etc., and are likely to render the student ineligible for membership in any Skidmore-sponsored academic honor societies, for participation in the First Year Experience as a Peer Mentor, and for academic and some leadership prizes awarded by the College.**

Plagiarism

Presenting as one's own, the work of another person (for example, the words, ideas, information, data, evidence, organizing principles, or style of presentation of someone else). Plagiarism includes paraphrasing or summarizing without acknowledgment, submission of another student's work as one's own, the purchase of prepared research or completed papers or projects, and the unacknowledged use of research sources gathered by someone else. Failure to indicate accurately the extent and precise nature of one's reliance on other sources is also a form of plagiarism. The student is responsible for understanding the legitimate use of sources, the appropriate ways of acknowledging their academic, scholarly, or creative indebtedness, and the consequences for violating the Skidmore Honor Code THE JUDICIAL BOARDS OF THE COLLEGE WILL NOT REGARD CLAIMS OF IGNORANCE, OF UNINTENTIONAL ERROR, AND OF ACADEMIC OR PERSONAL PRESSURES AS AN ADEQUATE DEFENSE FOR VIOLATIONS OF THE HONOR CODE.

Minor offenses: e.g., failure to acknowledge the source(s) of a few phrases, sentences, or an idea (though not an idea of importance to the thesis or central purpose of the paper or project).

More serious offenses: e.g., failure to acknowledge the quotation or paraphrase of a few longer, paragraph-length sections of a paper, failure to acknowledge the source(s) of a major idea or the source(s) of important pieces of evidence or information, or the source(s) for an ordering principle central to the paper's or project's structure.

Major offenses: e.g., failure to acknowledge the source (quoted, paraphrased, or summarized) of major sections or passages in the paper or project, the unacknowledged use of several major ideas or extensive reliance on another person's data, evidence, or critical method; submitting as one's own, work borrowed, stolen, or purchased from someone else.

Penalties for Plagiarism

All offenses observed by faculty or students must be reported to the Associate Dean of the Faculty (ADoF) with responsibility for student academic affairs or the Director of Academic Advising. The ADoF will keep a confidential record of the offense, the evidence, and the penalty. The Associate Dean or Director of

Academic Advising will also make certain that the student understands their rights, the nature and importance of academic integrity, and the probable consequences of a second violation.

In the case of minor offenses (as defined above), the instructor might make any one or a combination of the following responses:

- Warning without further penalty
- Required rewriting of the paper, but without grade credit
- Lowering of the paper or project grade by one full grade

In the case of more serious offenses and major offenses (defined above), the instructor might impose one or more of the following:

- Failure on the plagiarized essay, report, or project (no revision or supplemental work accepted)
- Failure in the course (more appropriate to a major offense)

Be aware that some faculty maintain a zero-tolerance policy on plagiarism and will fail a student for the course regardless of the level of offense.

Cheating on Examinations

Giving or receiving unauthorized help before, during, or after an examination. Examples of unauthorized help include collaboration of any sort during an examination (unless specifically approved by the instructor), collaboration before an examination (when such collaboration is specifically forbidden by the instructor), the use of notes, books, or other aids during an exam (unless permitted by the instructor), looking upon someone else's exam during the examination period, intentionally allowing another student to look upon one's exam, and the passing of any exam information to students who have not yet taken the examination. While the exam is ongoing, students may not discuss test items with any student, including those not enrolled in the course. Any talking during an exam, or other mode of communication (including use of cell phones), constitutes a violation of the Honor Code. The content of the conversation does not matter; the act of communicating violates the Honor Code.

Penalties for Cheating on Examinations

The great variety of exam situations and procedures makes it difficult to outline different degrees of infractions. However, in determining an appropriate sanction, instructors and judicial boards might take the following into account:

- The degree to which the cheating was premeditated or the student(s) collaborated in receiving or giving unauthorized help on the exam
- The percentage of the student's exam which was affected by the incident
- The degree to which the examination procedures in general were jeopardized or other students affected by the cheating incident

Penalties will generally include one or more of the following:

- Failure on the examination
- Lowering of the course grade by one full grade or more
- Failure in the course
- Academic disciplinary probation, another type of academic sanction, suspension, or dismissal

Other Forms of Academic Dishonesty

Multiple Submission

The submission of substantial portions of the same work for credit more than once (**including high school work**), without the prior explicit consent of the instructor(s) to whom the material is being (or has in the past been) submitted.

Penalties Recommended

- Failure on the work submitted
- Failure in the course(s)
- Academic disciplinary probation or other academic sanction

Forgery

Forging another person's signature on academic or other official documents (e.g., the signing of a faculty advisor approval, or the misuse of attendance sign-in sheets).

Penalties Recommended

- Cancellation of the privilege or service gained by the forged signature
- Academic disciplinary probation or other academic sanction

Sabotage

The deliberate destruction, damaging, or theft of another's work or working materials (including art works, lab experiments, computer programs, term papers, or projects).

Penalties Recommended

- Failure in the course
- Academic disciplinary probation, another type of academic sanction, or a recommendation for suspension
- Monetary fines

Theft, Damage, or Displacement of Library Materials

The effort to remove uncharged library materials from the Library, defacing or damaging library materials, intentional displacement and hoarding of materials within the Library for one's unauthorized private use, the abuse of reserve-book privileges. These and related offenses constitute an abuse of the College community's central resource for the advancement of learning. In certain cases, the failure to return materials to the Library in a timely way when these materials are needed by other members of the Skidmore community may be treated as an academic integrity infraction.

Penalties Recommended

- Monetary fines
- Limitation or revocation of library privileges
- Academic disciplinary probation, another type of academic sanction, or a recommendation for suspension

Computer Abuse and Fraud

Includes the abuses defined in these guidelines under "plagiarism," "multiple submission," "sabotage," "unauthorized collaboration," "falsification," and "alteration." Members of the Skidmore community are expected to observe the highest standards of academic and social integrity as they use computers for class, office, and individual projects. Such offenses as computer plagiarism, unauthorized collaboration, entry of another person's computing directory, data theft or unauthorized alteration, inappropriate use of the

electronic mail, and other malicious or dishonest computer activities will be treated as serious infringements of integrity. The official “Code of Ethics for Academic Computing” is available from Skidmore’s Computer Center.

The College recognizes the following EDUCOM policy statement:

“Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to determine the form, manner, and terms of publication and distribution. Because electronic information is volatile and easily reproduced, respect for the work is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade secret and copyright violations, may be grounds for sanctions against members of the academic community.”

Software Piracy: The College forbids the unauthorized duplication of copyrighted software. Even if a program does not contain copy protection to prevent unauthorized duplication, it is illegal to copy commercial software for your own use or by others. Likewise, knowingly accepting or using copies of “pirated” software violates the Skidmore College Honor Code.

Penalties Recommended

- Failure on the material in question when academic credit is at issue
- Failure in the course
- Limitation or revocation of computer privileges
- Academic disciplinary probation, another type of academic sanction, or a recommendation of suspension

Unauthorized Collaboration

(Closely related to plagiarism or cheating): student collaboration on projects, papers, or other academic exercises which is regarded as inappropriate by the instructor(s). The most common faculty assumption is that work submitted for credit is entirely one’s own; however, standards on appropriate and inappropriate collaboration vary widely among individual faculty and the different disciplines. Students who want to confer or collaborate with one another on work receiving academic credit (e.g., homework assignments, lab reports, exam preparations, research projects, essays, etc.) *should make certain of the instructor’s expectations and standards.*

Penalties Recommended

- Failure on the work submitted
- Failure in the course
- Academic disciplinary probation or other academic sanction

Falsification

The misrepresentation or purposeful mishandling of material or fabrication of information in an academic exercise, academic process, or academic assignment (e.g., the falsification of experimental or computer data, the construction of false documents or the misleading alteration of documents, the false or misleading citation of sources, the purposeful mishandling or misappropriation of registration materials, etc.)

Penalties Recommended

- Failure on the exercise or material submitted for credit
- Failure in the course
- Cancellation of the privilege obtained through falsification
- Academic disciplinary probation or other academic sanction

Alteration

Altering material without the instructor's knowledge or consent in negotiation for a higher grade.

Penalties Recommended

- Failure on the material altered
- Failure in the course
- Academic disciplinary probation or other academic sanction

Multiple or Subsequent Violations of Academic Integrity

When a student violates the Honor Code on more than one academic exercise (whether those infractions occurred during the same or different periods of time, or in the same or different courses), Skidmore regards the offenses as an especially serious subversion of our educational mission. The issue becomes even more egregious when the student has been confronted with the first infraction before the second is committed or discovered.

Whenever the Associate Dean receives information on a multiple offense, the Associate Dean may request a hearing before a judicial board or initiate an Administrative Hearing. The Associate Dean may also request a hearing for a single but especially serious academic offense. The student's social integrity record may be considered at the hearing along with the academic integrity record. Generally in cases of multiple infractions, or an especially serious single offense, the judicial board will consider recommending to the Dean of the Faculty and Vice President for Academic Affairs a one-semester suspension or dismissal from the College, depending on the severity of the violation(s) and other aspects of the individual case.

Other Consequences

Violations of the academic Honor Code will be reported on law school, transfer, study abroad, and similar applications when requested by external organizations. Further, academic integrity violations make the student ineligible for the Dean's List (for the period of the sanction), membership in Skidmore and national academic honor societies, Skidmore academic prizes (including those awarded at Honors Convocation and at graduation), College Honors, Department and Program Honors, some leadership awards, and participation in the First Year Experience as a Peer Mentor. For details of this and other academic integrity policies, please consult with the Associate Dean of the Faculty with responsibility for student academic affairs.

Academic Integrity Conduct Process

Faculty are required to report suspected academic integrity violations of the Honor Code to the Associate Dean of the Faculty or Director of Academic Advising. When a student acknowledges responsibility for a violation, the ADoF or Director administers institutional sanctions in an Administrative Conference as prescribed by faculty legislation and described in the *Academic Integrity Handbook* (link); the instructor retains authority over the grade consequence. Most cases alleging academic integrity violations are resolved between the ADoF, the student, and the instructor but any party may bring the case to an Administrative Hearing Board (AHB). The AHB is particularly important when a student contests the charge itself. If the student is found responsible, the AHB cannot reduce or set aside sanctions imposed by the ADoF or Director or modify a grade penalty determined by the instructor. The *Academic Integrity*

Handbook describes further impacts of academic integrity violations and describes grievance procedures and the limited forgiveness policy. Questions about academic integrity may be directed to the ADoF or to the Director of Academic Advising.

The process governing the proceedings of an Administrative Hearing Board follows the procedures on page 29 in the *Student Handbook* with the following exceptions:

1. The Associate Dean of Faculty serves as the Conduct Administrator;
2. The Administrative Hearing Board must include at least one member of the faculty;
3. Suspension is considered as an appropriate outcome for multiple violations or an especially egregious single violation;
4. Appeals are directed to the Vice President for Academic Affairs and Dean of the Faculty.

The Academic Honor Code: Sanctions and Further Impact

This document, summarizing legislation passed by the Skidmore faculty in October 1995 and revised by the faculty in March 2000, describes the record-keeping and reporting implications for students who have violated the Academic Honor Code. The decision of the faculty applies to all current and future Skidmore students. The sanctions described here are in addition to those presented in the *Student Handbook* and the *New Student Advising and Registration Guide*; they are also in addition to any sanctions imposed by the Student Conduct process and officers of the College. Members of the Skidmore community may seek clarification of any Academic Honor Code issue from the Associate Dean of Faculty with responsibility for student academic affairs.

This document differs from older print versions of the *New Student Advising and Registration Guide* in that it clarifies the following points: (1) students admitting to or found responsible for an academic integrity violation may be withdrawn from national and Skidmore honor societies at the discretion of the honor society, (2) the reporting and eligibility implications of an infraction cannot be set aside or modified by Student or Administrative Conduct Boards, except in the special case of first-year students where the level of offense determines the eligibility implications, (3) the Committee on Academic Standing considers academic integrity violations during its review of students who do not meet minimal standards for continuation, and (4) academic integrity is a factor influencing a student's eligibility to study away and to participate as a Peer Mentor in the First Year Experience.

STUDENT RECORDS IN GENERAL: every effort is made to keep records of Academic Honor Code violations confidential so that the student found responsible for an infraction can move on successfully with their academic, co-curricular, and personal life at Skidmore. An Honor Code conviction can become a temporary or permanent part of the student's official file (that is maintained in the Office of the Registrar) only through action taken by a judicial board or by the Dean of Students and Vice President for Student Affairs, the Dean of the Faculty and Vice President for Academic Affairs, the President of Skidmore, or their designees. The Student Conduct process of the College and its procedures are described in this handbook. Important exceptions to the general principle of confidentiality are described below.

THE IMPACT OF INFRACTIONS ON ELIGIBILITY AND REPORTING:

1) Effects on honors and prizes: violations of the Academic Honor Code will, with few exceptions, make a student ineligible for the following prizes, distinctions, and honors:

- a) The Dean's List for the period of the sanction (which will generally mean the semester in which the infraction occurred, unless a longer period of "probation" or "warning" has been imposed)
- b) Honors at graduation (cum laude distinctions, departmental honors, etc.); academic prizes awarded at the Honors Convocation or at Commencement; Periclean Scholar Awards; some leadership awards; membership in the Periclean Honors Forum and in national academic honor societies; membership in Phi Beta Kappa (in the case of Phi Beta Kappa, the Skidmore chapter will determine eligibility after a report has been made by the Associate Dean of Faculty). Students already inducted in Skidmore or national honor societies at the time of the infraction may have their membership revoked at the discretion of the society or chapter.

Exceptions to the eligibility impacts described above are as follows:

The Associate Dean of the Faculty (ADoF) with responsibility for student academic affairs, at their discretion, will not report, for internal purposes, minor and moderate-level academic infractions

committed by first-year students: in other words, in these cases, the eligibility and reporting consequences described in the paragraphs above will not affect the first-year student who has committed one minor or moderate offense. This policy is in keeping with Skidmore's educational mission and recognizes that some students may take longer than others to develop an academic and ethical understanding commensurate with the standards of higher education. Although this limited forgiveness policy will be in effect for first-year students, the ADoF will report on all "multiple or subsequent violations" (see the *Student Handbook*) and on all more serious offenses committed by first-year students. All academic Honor Code violations committed by sophomores, juniors, and seniors will be reported and will incur the Skidmore eligibility consequences described in the paragraphs above. (Note that Phi Beta Kappa requires the reporting of all infractions without exception, including minor offenses committed by first-year students.)

2) Effect on letters of reference and recommendation: when requested by appropriate external organizations, violations of the Skidmore Honor Code will be reported to law schools and to bar examiners, to other graduate schools as requested, on recommendations for transfer to another college, and to other organizations or agencies authorized to check a student's record of integrity. In the reporting process, the ADoF (or their designee) will provide an appropriate context so as not to unduly jeopardize the student's academic opportunities before and after graduation.

3) Effect on academic standing: the Committee on Academic Standing (CAS) considers academic integrity violations when reviewing the profiles of students who do not meet minimal standards for continuation at Skidmore. Academic integrity infractions may influence whether the CAS disqualifies a student from further study or grants a one-semester waiver so that the student can improve their academic record.

4) Effect on study away: the CAS, along with the Office of Off-Campus Study and Exchanges, considers a student's academic integrity record when determining eligibility to study away.

5) Other effects: academic integrity violations make a student ineligible to participate in the First Year Experience (FYE) program as a Peer Mentor.

PROCEDURES AND APPEALS:

1) In conformity with the faculty legislation of October 1995 and March 2000, and within the framework and spirit of the Honor Code, the ADoF will decide whether the further impacts described in this document will be enforced. The ADoF's decision will be communicated to the student. The ADoF's determination of further impact may be appealed within five working days of notification to the Dean of the Faculty and Vice President for Academic Affairs as noted in the *Student Handbook*. The student must make clear in writing the grounds for the appeal. The Dean of the Faculty and Vice President for Academic Affairs may not consider the guilt or innocence of the student or similarly broad integrity issues (this is the role of judicial boards), but only whether the ADoF's decision regarding the further impact of the Honor Code violation is in line with the policies adopted by the faculty. This process will offer the student and the academic community in general, protection against any arbitrary or misinformed judgment made by the ADoF.

2) If a student wants to challenge the Honor Code charge itself, the student must request a formal hearing. Skidmore's Student Conduct process is described in *The Student Handbook*. Note that a hearing board may impose or recommend additional sanctions beyond those described in this document, "The Academic Honor Code: Sanctions and Further Impact." A hearing board may not, however, set aside any of the eligibility and reporting consequences described above unless the hearing board finds the student not

responsible for an Honor Code infraction. (In the case of freshman-year infractions, a hearing board might modify the internal eligibility and reporting implications for a first-year student by determining that the infraction was of a “minor or moderate” nature, in keeping with the faculty legislation.)

3) Further appeal process for first-year students: students who have committed violations of the academic Honor Code during their first year of college (i.e., during the freshman year), at a time when they have not become fully integrated into the academic community, will have an additional opportunity to appeal the violation’s impact on their eligibility for Skidmore prizes, honors, and memberships (except for membership in Phi Beta Kappa, which is determined solely by the Skidmore chapter of Phi Beta Kappa). Such students may appeal the early infraction directly to the Dean of the Faculty/Vice President for Academic Affairs and the ADoF, who will decide together whether to forgive the early violation of the Honor Code. This consideration will take into account the severity of the original offense and the student’s subsequent academic and integrity record at Skidmore. The ADoF and the Dean of the Faculty/Vice President for Academic Affairs may decide to sustain the original decision and its impact, or to reduce or eliminate the impact on the student’s eligibility for prizes and honors. The appeal cannot be initiated before the first semester of the student’s junior year. The student themselves is responsible for initiating this further appeal, in writing, within the designated time frame. The appeal process does not pertain to letters of reference and recommendation, the effect on academic standing, the effect on eligibility to study away, or the effect on eligibility to participate as a Peer Mentor in the FYE as described in #2-5 above.

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For the full Academic Integrity Handbook:

https://www.skidmore.edu/advising/documents/AcademicIntegrityHandbook_Web.pdf

Social Conduct

Code of Social Conduct

Good social conduct in the large majority of cases is a matter of common sense and the ordinary principles of fairness, respect, and honesty. Considering how we ourselves would like to be treated will usually provide guidance on how to interact with other members of the community. The social policies listed below cannot capture the essential value of a respectful and cooperative community. The items listed do, however, suggest some of the more serious issues that sometimes confront our community.

Based on students' agreement to the Honor Code, we expect students to abide by the Code of Social Conduct as outlined below:

1. **Animals/Pets.** Unauthorized dogs, cats, mice, birds, or other animals are not permitted in residence halls, College buildings, or anywhere on College property; Any violation of the Service and Therapy Animal Policies, found here:
<http://www.skidmore.edu/accessibility/policies/index.php>;
2. **Collusion.** Action or inaction in concert with another or others to violate the Honor Code and Code of Social Conduct;
3. **Damage and Destruction.** Intentional, reckless and/or unauthorized damage to or destruction of College property or the property of another;
4. **Disruptive Behavior.** Substantial disruption of College operations including obstruction of teaching, research, administration, other College activities, and/or other authorized non-College activities which occur on campus; general disorderly conduct;
5. **Falsification/Tampering.** Knowingly creating, furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification, or financial instruments; tampering with the election of any College-recognized student organization;
6. **Fire/Life Safety.** Interference with or misuse of fire alarms, blue lights, elevators or other safety and security equipment or programs; Intentionally lighting an open fire in or on any Skidmore College property; Any instances of multiple violations and/or high level violations of the Residential Life Fire Safety Policy, found here:
http://www.skidmore.edu/student_handbook/room_and_board.php#fire;
7. **Gambling.** Gambling as prohibited by the laws of the State of New York. Gambling may include, but is not limited to, hosting gambling events, sports pools and online betting activities;
8. **Harm to Persons.** Intentionally or recklessly causing physical or emotional harm; threatening or endangering the physical or emotional health or safety of any person, including but not limited to, hazing, bullying or cyber bullying, or any other threatening or intimidating behavior;
 - a. **Threat:** written or verbal conduct that causes a reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.
 - b. **Intimidation:** express or implied acts that cause a reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.

- c. **Bullying and Cyber bullying:** bullying and cyber bullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally.
 - d. **Hazing:** violation of the Hazing Policy, found here: http://www.skidmore.edu/student_handbook/hazing.php
- 9. **Health and Safety.** Creation of health and/or safety hazards, including but not limited to, dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.;
- 10. **Infringement of Certain Intellectual Property Rights.** Unauthorized use, including misuse, of the name, images, logos, trademarks or service marks, or other infringement of intellectual property rights, of the College or an organization recognized by the College;
- 11. **Taking of Property.** Intentional and unauthorized taking of College property or the personal property of another, including goods, services and other valuables; or knowingly maintaining possession of stolen property;
- 12. **Unauthorized Access.** Unauthorized access to any College building, including but not limited to access through unauthorized use of keys, cards, etc., unauthorized possession, duplication or use of means of access to any College building, or failing to report a lost College identification card or means of access (e.g., a key or card), propping of doors (of any kind) or unauthorized use of alarmed doors for entry into or exit from a College building;
- 13. **Weapons.** Possession, use, or distribution of explosives, including but not limited to fireworks and ammunition, guns (air, BB, paintball, facsimile weapons and pellet guns, etc.), or other weapons or dangerous objects such as arrows, axes, machetes, nun chucks, throwing stars, or knives having blades in excess of six inches in length (except for culinary knives reasonably necessary for cooking in on-campus residences), including the storage of any item that falls within the category of a weapon in a vehicle parked on College property;
- 14. **Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, gender identity/expression or other protected status) that is sufficiently severe that it interferes with, limits or denies the ability to participate in or benefit from College programs or activities. The College reserves the right to sanction discrimination even if the behavior in question does not rise to the level of legally recognized or actionable discrimination;
- 15. **Harassment.** Harassment on the basis of race, color, religion, gender, age, national or ethnic origin, disability, veteran status, marital status, sexual orientation, gender identity or expression, or any other protected category.
 - a. For sexual and gender-based harassment definition, policy, and conduct procedures, see Sexual and Gender-Based Misconduct Policy at <http://www.skidmore.edu/sgbm/policy>
- 16. **Sexual and Gender-Based Misconduct, including sexual assault, dating/domestic violence, and stalking.** For sexual and gender-based misconduct definitions, policy, and conduct procedures, see <http://www.skidmore.edu/sgbm/>

17. **Alcohol and Other Drugs.** Illegal use, possession, purchase, distribution, manufacture or sale of alcohol, drugs or controlled substances, or any other violation of the College Alcohol and Other Drugs Policy. For definition, policy, and conduct procedures, see http://www.skidmore.edu/student_handbook/alcohol-and-other-drugs.php;
18. **Smoking.** Smoking is prohibited in all Skidmore College facilities and College-owned vehicles and within 25 feet of all facilities on campus. Designated smoke-free areas are well marked and make up the interior of the College's campus. Smoking is permitted, in most cases, in areas facing the loop road. In addition, individuals may smoke in their personal vehicles while parked on campus. For definition, policy, and conduct procedures, see: <https://www.skidmore.edu/dean-students/smoking-policy.php>;
19. **Failure to Comply.** Failure to comply with the authorized directives of College officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so; failure to comply with the sanction(s) imposed by the campus conduct system;
20. **Retaliation.** Any intimidation, harassment, discrimination, or other adverse action against an individual as a result of that individual participating in, or cooperating with, College processes, including without limitation student disciplinary processes;
21. **Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, College processes including student disciplinary processes, including, but not limited to:
 - a. Falsification, distortion, or misrepresentation of information;
 - b. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation;
 - c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
 - d. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
22. **Other Policies.** Violating other published College policies or rules, including but not limited to Residential Life Policies, Information Technology Policy, Student Government Association Policies, etc.

Culpability is not diminished for acts in violation of this Code that are committed in ignorance of the Code or under the influence of alcohol, illegal drugs or improper use of controlled substances.

Violations of the Law

Alleged violations of federal, state, and local laws may be investigated and addressed under the Code of Social Conduct. The College may, but shall not be obligated to, delay its processes when criminal charges on the basis of the same behaviors that implicate the Honor Code and/or the Code of Social Conduct are being investigated. College action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

The College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed until a hearing can be held. The interim suspension may be continued if a danger to the community is posed and the College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed.

Students accused of crimes may request to take a leave from the College until the criminal charges are resolved. In such situations, the College procedure for voluntary leaves of absence is subject to the following conditions:

- The Responding Student must comply with all College investigative efforts;
- The Responding Student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The Responding Student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed.

Any violation of the law should be immediately reported to Campus Safety and the Office of Student Conduct and Conflict Resolution.

The Student Government Association provides students with the opportunity to receive one free legal consultation from the legal services of Richard F. Mullaney and Eleanor K. Mullaney, Attorneys at Law (518-584-8000).

Relevant Terminology

Conduct Administrator (CA): The DoS/VPSA, applicable dean(s) and/or designee. The CA will develop procedural rules for the administration of the conduct process that are consistent with this process. Material deviation from these rules will, generally, only be made with reasonable notice to the parties involved. The CA may vary procedures with notice where the CA determines that the circumstances make such action necessary or advisable (for example, upon determining that changes to law or regulation require policy or procedural alterations not reflected in this process). The CA may, at any time, make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Questions of interpretation of the applicable rules or procedures may be referred to the DoS/VPSA who will have discretionary authority to resolve any disputed or ambiguous terms and whose interpretation is final.

Reporting Individual (RI): The Reporting Individual is the person alleging a violation of the Code of Social Conduct or the Honor Code. In certain cases, the CA acts as the Reporting Individual on behalf of the College. For example, the College may pursue a violation of the Honor Code or Code of Social Conduct in response to an anonymous complaint.

Harmed Party: The CA may invite, as feasible and subject to confidentiality restrictions under applicable law, anyone allegedly harmfully impacted by a violation. A Harmed Party may also be a Reporting Individual. Harmed Parties may be asked to specify how they have been harmed and for any ideas they may have for how the Responding Student can repair the harm and rebuild trust.

Responding Student (RS): The student accused of violation the Honor Code or Code of Social Conduct.

Witness: An individual who either, in-person or in writing, can provide the Conduct Administrator or appropriate resolution body with a firsthand account of the incident in question. Witnesses cannot serve the purpose of defending the character of any involved party and must have factual knowledge of the incident.

Advisor: Both the Reporting Individual and Responding Student have the right to one advisor of their own choosing. For all cases not involving a violation of the Sexual and Gender-Based Misconduct Policy, the advisor must be a member of the Skidmore community (student, faculty or staff), unless otherwise allowed by the Conduct Administrator. The advisor has a limited speaking role and may not make a presentation or otherwise represent the Reporting Individual or Responding Student during the hearing; it is expected that Reporting Individuals and Responding Students will speak for themselves. The advisor will be permitted to confer quietly with the student they are working with.

Social Conduct Process for Adjudication

Philosophy

The Office of Student Conduct and Conflict Resolution (SCCR) oversees the administration of the student conduct process. SCCR (“Seeker”) promotes responsible community membership and positive relationships through the values of honesty, integrity, and consideration. We do this by educating students on the impact of their behavior, promoting thoughtful decision-making, and encouraging them to become engaged and responsible citizens of the Skidmore Community and beyond.

The student conduct process is anchored in various restorative practices that aim to hold students accountable for their behavior while at the same time, acknowledge and understand the impact of their actions on individuals and the greater Skidmore College community.

Authority

The Dean of Students and Vice President for Student Affairs (DoS/VPSA) and the Office of Student Conduct and Conflict Resolution (SCCR) are responsible for resolving violations of all social policies. All references to the DoS/VPSA include the applicable dean(s) or their designees, hereafter referred to as the Conduct Administrator (CA). Students and faculty should report an alleged violation to the student and to the CA within a reasonable period after the violation was committed. However, the College reserves the right to pursue disciplinary action whenever it learns about a violation of the Honor Code or Code of Social Conduct.

SCCR will develop procedural rules for the administration of the conduct process that are consistent with this process. Material deviation from these rules will, generally, only be made with reasonable notice to the parties involved. SCCR may vary procedures with notice where the CA determines that the circumstances make such action necessary or advisable (for example, upon determining that changes to law or regulation require policy or procedural alterations not reflected in this process). SCCR may, at any time, make minor modifications to procedure that do not materially jeopardize the fundamental fairness owed to any party. Questions of interpretation of the applicable rules or procedures may be referred to the DoS/VPSA for social conduct policies and the DoF/VPAA for academic policies, who will have discretionary authority to resolve any disputed or ambiguous terms and whose interpretation is final.

Fundamental Fairness vs. Due Process

Due process indicates a legal right to a specific process that must be used in order to determine the outcome of a complaint of student misconduct. Given Skidmore College's status as a private institution, the College is not bound by due process but does ensure fundamental fairness to each student involved in the conduct process. In essence, fundamental fairness still offers students the right to have a written notice of all conduct charges and the opportunity for a "hearing" on those charges, within the resolution options available. *Note: violations of the Sexual and Gender-Based Misconduct are investigated and adjudicated strictly under the published SGBM policy/procedures.* Additionally, with fundamental fairness, the College is bound to following the disciplinary process published in the Student Handbook. By choosing to enroll at Skidmore College, students have agreed that they will follow the standards for behavior as published in the Student Handbook.

Filing a Report of Student Misconduct

SCCR is often informed of reports of student misconduct through Campus Safety, the Office of Residential Life, or other college administrators, though any person may file a report about student misconduct, which violates the Honor Code or Code of Social Conduct, with the request for SCCR to investigate and adjudicate.

Once SCCR receives a report of misconduct, a CA will take the follow steps to assess if/how the College will move forward:

1. Follow-up with the person bringing the complaint to determine their wishes from the conduct process and to determine if the person bringing the complaint is a Harmed Party, a College representative, or a third party and discuss their options for remaining involved through the adjudication process.
2. The CA will evaluate each report to determine if there is enough information to suggest a possible violation of the Code of Social Conduct and charge the student(s) with violating such. The CA reserves the right to determine there is not enough information to move forward or that the behavior described is not a violation of the Honor Code or Code of Social Conduct.

3. A student accused of violating the Code of Social Conduct will be given an opportunity to meet with the CA to review the complaint and potential avenues for resolution (described below). The CA determines which of the available processes will be used in any given case based upon factors including, but not limited to, the willingness of the student to accept responsibility for the violation, the seriousness of the alleged violation, the existence of a pattern of repeat or multiple violations, or issues of fairness and equity.

Interim Measures prior to a resolution:

The DoS/VPSA in consultation with Campus Safety, SCCR, and/or the Student Assessment and Intervention Group (SAIG) may implement appropriate action to maintain the safety of the campus community (or specific persons within the campus community) until the investigation and/or hearing process is complete, such as no contact directives, removal from campus residence facilities, removing a student from a class or classes, and/or interim suspension from the College. A student subject to such interim measures may appeal the decision to impose them to the DoS/VPSA within three business days after being notified of the decision.

Resolution Options

If a student withdraws from the College while disciplinary action is pending, the College may proceed with resolution based on available information in the student's absence, and include the finding in the student's permanent record. The student must resolve the disciplinary complaint before the College will consider readmission.

- 1) **Administrative Conference:** In an administrative conference, Responding Students are invited to meet with the Conduct Administrator or Hearing Officer to discuss the incident. The Conduct Administrator or Hearing Officer may also meet with Harmed Parties or other witnesses to gather more information about the incident prior to making a final determination. The CA or Hearing Officer will make determinations of responsibility and sanctioning.
 - a. A Hearing Officer may be the Associate Dean of Student Affairs for Campus Life and Engagement/Chief Conduct Administrator (ADoSA), Assistant Director of Student Conduct and Conflict Resolution, or any staff member in the Office of Residential Life. Hearing Officer assignment is done by the Office of Student Conduct and Conflict Resolution and will depend on the seriousness of the incident and any past conduct violation.
- 2) **Restorative Justice (RJ) Conference:** An RJ conference will be offered to students who accept responsibility for violating the Code of Social Conduct and have a desire to learn more about the harm they may have caused. RJ is a collaborative decision-making process that includes Harmed Parties, Responding Students, and others seeking to hold Responding Students accountable working together to understand and identify harm and brainstorm ways for the Responding student to repair the harm. An RJ conference is a voluntary process used when a Responding Student has admitted to a violation. If a Harmed Party cannot be identified or chooses not to participate, trained members of the IB/AHB may be called on to represent the possible or assumed harms. RJ agreements are included in the conduct record. Students participating in an RJ process may elect to withdraw from the process at any time and the matter will be addressed through an administrative conference or board hearing.
- 3) **The Integrity Board (IB) or the Administrative Hearing Board (AHB):** The IB/AHB meets with

the Responding Student and Harmed Parties to determine if the Responding Student is in violation of the Honor Code or Code of Social Conduct and, if so, assigns sanctions. The mission of the IB/AHB is to help Responding Students understand the consequences of their behavior, to identify harms, and to identify ways to repair the harm. More information on the IB/AHB process can be found in the section below.

- 4) **Mediation and Conflict Resolution Circles:** The CA may recommend facilitated dialogues to help parties in a dispute find an agreement that best meets their needs. Students in conflict may be referred to mediation or a conflict resolution circle to find a mutually acceptable outcome. Participation in mediation or a conflict resolution circle does not require admission of a violation, as there is no clear Responding Student, and agreements do not result in a conduct record. Students participating in mediation may elect to withdraw from the process at any time.

Integrity Board/Administrative Hearing Board Structure and Process

In line with Skidmore College's dedication to Restorative Justice, the IB/AHB process strives to remove an adversarial structure of a hearing and replace that with a structure meant to hold a Responding Student accountable, identify the harm the Responding Student caused, and brainstorm ways to repair the harm and rebuild trust in the Responding Student.

An IB/AHB will be used in all cases in which the Conduct Administrator believes a Responding Student is responsible for violating the Code of Social Conduct but the Responding Student does not wish to take responsibility for the violation. Prior to scheduling a Responding Student to appear at an IB/AHB, the Conduct Administrator will meet with all parties involved or impacted to determine who should be in attendance at the hearing. Participation in the process by Harmed Parties is voluntary and will not impede the Conduct Administrator's decision to move forward with an IB/AHB hearing.

Once a determination is made that the case will be resolved through an IB/AHB hearing, notice will be given to the Responding Student, and other parties attending the hearing, at least three days before the hearing. Notice will be in writing, via Skidmore College-issued email. The letter of notice will include:

- Notice of the time, date, and location of the hearing;
- The alleged Code of Social Conduct violation, including the date of incident;
- Names of Integrity Board/Administrative Hearing Board members and information on how to submit conflict or interest concerns; and
- Names of any other parties that will be in attendance.

IB/AHB Member Make-Up

Integrity Board: The IB is made up of three students, including the chair, for all hearings taking place during the academic year. The IB hears cases of social violations, with the exception of sexual and gender-based misconduct. The Conduct Administrator (CA) schedules students for hearings as needed to properly comprise an IB for each case. The CA will act as nonvoting advisor to the hearing process.

Administrative Hearing Board: SCCR may impanel the AHB to hear cases deemed unsuitable for the IB or when the IB is unable to meet, such as during vacation periods or study days. An AHB for a hearing includes three trained members from the administration/staff who are appointed by the DoS/VPSA and/or the faculty members who serve on the Faculty Advisory Board (FAB) and are appointed by the Faculty Executive Committee (FEC) to serve in overlapping two-year terms. The CA will act as nonvoting advisor to the hearing process.

Preparation for IB/AHB Hearings

Responding Students are expected to participate in the hearing, but may submit a written statement to the board instead. If a Responding Student fails to attend the hearing as scheduled, the hearing will proceed without the Responding Student present, and the IB/AHB renders a decision based on the information available to it. If Harmed Parties do not want to participate in the IB/AHB process, the IB/AHB will be expected to represent the assumed harms.

At the discretion of the Conduct Administrator, Responding Students and Harmed Parties may participate by remote means such as phone or videoconference.

In hearings involving more than one Responding Student, the complaints may be heard jointly if all Responding Students consent, or if a joint hearing is otherwise determined by the CA to be appropriate if

permitted by applicable law. In joint hearings, separate determinations of responsibility will be made for each Responding Student.

The IB/AHB decides every case on an individual basis, after considering the information presented to it. The board conducts hearings in a fair and reasonable manner, respecting the rights and needs of all participants, while also considering the importance of honoring the community value system.

The standard of decision used by the board is preponderance of the evidence. In other words, board members must determine whether it is more likely than not that the alleged violation occurred. While the board members seek full consensus in reaching their decision, in disputed decisions a simple majority vote will decide the case.

IB/AHB Structure

Hearings will be closed to the public. All hearings are audio-recorded. The Reporting Individual and/or Responding Student may request to listen to the audio file in the event of an appeal. Access to the audio recording will not be permitted for any other reason or request. Deliberations of the IB/AHB are not recorded.

Given the philosophy of restorative justice and the administrative nature of the conduct process, legal rules of evidence and other legal procedures are not observed.

During the hearing, Harmed Parties and Responding Students have an opportunity to offer information, and to present materials and witnesses on their behalf, in each case at the discretion of the board chair and CA. The Reporting Individual, the Responding Student, and the IB/AHB will have the opportunity to question all present witnesses and parties. The board bases its decision on the information presented at the hearing.

The board hearing has three parts: (1) determining responsibility, (2) harm identification, and (3) solutions/agreement process. In the first part, the board reviews the allegations and determines if the Responding Student has violated the Code of Social Conduct. If a Responding Student is not found in violation, the hearing is adjourned. If a Responding Student is found in violation, the next part of the hearing is used to identify the impact of the Responding Student's behavior.

The harm identification section seeks to answer the following questions:

To the Responding Student:

- What were you thinking about at the time?
- What have you thought about since?
- What impact has this incident had on you?
- Who else has been impacted and how?
- Anything else you would like to say or ask at this time?

To the Harmed Parties:

- What impact has this incident had on you?
- What has been the hardest thing for you?
- Anything else you would like to say or ask at this time?

During this section, a member of the IB/AHB will be taking notes to form a list of harms to be used in the next section, solutions/agreement process.

The third and final section of the IB/AHB is structured to answer two questions: how can the harm be repaired and how can we regain confidence in the Responding Student so that we can trust that they will

be a responsible member of our community. All present parties will have an opportunity to brainstorm solutions to accomplish these goals. The IB/AHB attempts to offer students an opportunity to take responsibility for Code of Social Conduct violations and to make amends through pro-social activities but in some cases, suspension or expulsion may be the appropriate action to take. There are two conditions under which suspension or expulsion may be warranted: when public safety remains a concern and when there continues to be a rejection of responsibility/accountability for actions. The IB/AHB will always strive to reach an agreement with all parties present as to what the solutions should be, but ultimately, the IB/AHB can make a final decision if an agreement is not possible.

The board usually informs a student of its decision immediately after reaching its determinations and to responsibility and (if applicable) sanctioning. However, if necessary the board may take up to five business days to issue its finding.

Sanction and Restorative Outcome Guidelines

Sanctions and restorative outcomes preserve individual and institutional integrity and, whenever possible and appropriate, help students to learn from their mistakes, repair harms, and regain their standing in the community. The Office of Student Conduct and Conflict Resolution maintains all records of disciplinary hearings, sanctions, and restorative outcomes applied, and these are admissible in subsequent student conduct proceedings involving the student(s) in question.

Sanctions

Sanctions represent institutional action taken regarding a student's status and access to certain spaces and functions on campus. Sanctions may include, but are not limited to, those described below. Each listed sanction may be imposed alone or in combination with one or more other restorative outcomes.

Parent/guardian notification: An official written notification to the student's parent/guardian(s) that aims to establish a partnership in reducing serious student misbehavior such as, high risk drinking and drug use. When the College contacts parent/guardian(s), tips are provided for beginning a non-judgmental, open, helpful dialogue between parent/guardian(s) and students. Students that indicated at the time of enrollment or through the registrar's office that educational information should not be released to their parent/guardian may be exempt from this outcome.

Warning: An official written notice that the student has violated College policies and that greater conduct action will result should the student be involved in other violations while the student is enrolled at the College.

Points: The point system was developed in order to make the disciplinary sanctioning process clearer, more consistent, and more predictable for students. Points are cumulative over the course of a student's time at Skidmore College. Previous violations are always considered before points are assigned for violations.

1. Accumulation of points – Students who accumulate 10 or more points will be recommended for immediate suspension. The Dean of Students/Vice President of Student Affairs makes final decisions with regards to suspension.
2. Point Reduction and Expiration–
 - a. Point Reduction – Students can reduce up to two points by completing community service work (one point reduction for every 10 hours of community service completed). Community service for point reduction must be independent of other scheduled service work and must be pre-approved by the Office of Student Conduct and Conflict Resolution.

- b. Point Expiration – Points will expire two years after they are assigned

Disciplinary Probation: If determined appropriate by the CA or IB/AHB, a student may be placed on disciplinary probation meaning the next violation is likely to result in suspension or expulsion. The CA or IB/AHB will take into consideration the student's total conduct record, severity of violation, and any other mitigating circumstances prior to placing a student on probation. Note that some campus organizations do not permit their members to serve in leadership positions or hold campus jobs if they are on disciplinary probation. Probation may also affect eligibility for study abroad, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager, or student coach, etc.

Specific Restriction(s): The CA or IB/AHB may impose specific restrictions on an individual to prevent either access to an area of campus or participation in one or more College or College-recognized or sponsored programs or activities (e.g. Commencement).

No Contact Directive: The CA or IB/AHB may impose a prohibition against having any avoidable contact with one or more identified persons, in person or through telephonic, electronic, written or other means. A no contact directive may include additional restrictions and terms.

College Housing Reassignment or Suspension: The CA or IB/AHB may reassign the student to another College housing facility, or may remove the student from College housing for a specified period of time, including permanent removal.

College Suspension: The CA or IB/AHB may recommend suspension to the DoS/VPSA. During the suspension period, the student is prohibited from being present on or at College property, functions, events, and activities without prior written approval from the CA. The CA or IB/AHB may also assign specific sanctions, such as community service, for completion during the suspension period. While suspended, students may transfer up to 18 credits taken at another institution, subject to the usual review by the Registrar. The College follows the refund practices for personal leaves. Further information may be found on the Bursar's Office website at <http://www.skidmore.edu/bursar/withdrawal/index.php>. A decision for suspension constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation.

- Students wishing to return from a suspension must contact the CA after the date specified in their outcome letter in order to commence readmission processes.

College Suspension in Abeyance: In cases of suspension, the CA or IB/AHB may decide that there are circumstances that mitigate against the immediate separation of the student from the College. For example, they may allow the student to complete the current semester's coursework and begin their suspension period at the semester's end. However, should the student be found in violation of the Honor Code or the Code of Social Conduct during the period of abeyance, the abeyance may be lifted and the suspension shall take effect immediately and continue through the originally scheduled expiration date for the suspension (subject to any additional sanctions that may be imposed as a result of the new violation).

Expulsion: The CA or IB/AHB may recommend expulsion to the DoS/VPSA. The student is prohibited from being present on or at College property, functions, events, or activities. Expulsion is a permanent status. The Responding Student must leave the College immediately and cannot register again as a student without going through a full readmission process. A decision for expulsion constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation.

Degree Revocation: In the event of serious misconduct committed while still enrolled, but found responsible after the Responding Student has graduated, the College may revoke that student's degree. The student will be asked to return the diploma.

Restorative Outcomes

Restorative outcomes represent a variety of educational and trust-building assignments that a student must complete to show growth, remorse, and a desire to restore trust in them from the community. Restorative outcomes may be imposed alone or in combination with one or more other restorative outcomes or sanctions.

Apology: The CA or IB/AHB may require the Responding Student to provide a written apology to any parties they have harmed. Apologies are to include:

- **What Happened:** A description detailing the harm caused by the incident
- **My Role:** An acknowledgment that the student was responsible for the incident
- **How I Feel:** An expression of remorse or regret in causing harm
- **What I Won't Do:** A statement of commitment to responsible behavior and causing no further trouble
- **What I Will Do:** A statement of commitment to make amends for the harm caused

Restitution: Restitution is monetary payment or services that pay(s) for financial losses. Restitution is intended to compensate the Harmed Party for the estimated losses incurred by the Harmed Party. Restitution agreements seek to meet the needs of the Harmed Party, but may also take into account the Responding Student's ability to pay. Sometimes services are substituted for payment.

Community Service: Volunteering in the community is a way to be helpful to others, show that one is socially responsible, and rebuild the trust that is lost through misbehavior. Community service should be meaningful and rewarding, potentially serving as a platform for personal development. Community service serves two important goals: making amends to the community and demonstrating good citizenship. Rather than focus on specific hours, the CA or IB/AHB will help the Responding Student design a service project that best meets these goals.

Counseling: A Responding Student may be required to engage in activities including, but not limited to, seeking academic counseling or substance abuse screening, anger management counseling, or similar evaluation and/or assistance. The CA or IB/AHB does not diagnose psychological problems or specify treatment; however, they may require the student to seek consultation and follow any recommended treatment plan.

Supervision: A Responding Student may be required to meet regularly with one or more members of the community for mentoring, support, and reassurance to the community that the student is complying with sanctions and College policies.

Educational Program: The CA or IB/AHB may require the Responding Student to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Students may be required to complete a workshop, online education courses, research or reflection paper articulating the harm caused by their

actions and/or strategies they may adopt to prevent further disruptive behavior. Examples of educational programs include, but are not limited to:

- Attending BASICS (Brief Alcohol Screening and Intervention) for College Students. BASICS involves two one-on-one sessions with the BASICS provider. You will also have a few assignments to complete between the two sessions.
- Attending a workshop with a focus on responsible decision-making, alcohol use, bystander intervention, etc.
- Completing Think About It: Alcohol or Think About It: Drugs. These courses are an individualized lesson that utilizes interactive exercises designed to influence behavior change around alcohol and drug use.
- Receive an alcohol and/or drug assessment from a local substance abuse counselor.
- Design a poster or brochure related to the violation that SCCR could use on-campus to educate other students about Code of Social Conduct violations.
- Write a research or reflection paper based on a prompt provided to you by SCCR.

Appeals Process

A student involved in the conduct process as a Reporting Individual or a Responding Student may appeal any decision from an administrative conference, the integrity board/administrative hearing board. Appeals will only be considered on the following grounds:

- a) A procedural error occurred that significantly impacted the outcome of the process (e.g. substantiated bias, material deviation from established procedures, etc.);
- b) The discovery of new evidence, unavailable to the appealing party during the original hearing or investigation, that could substantially impact the original finding or sanction; or
- c) Sanctions are disproportionate to the nature or severity of the violation or violations, taking into account the totality of the circumstances (including the cumulative conduct record of the Responding Student, if any).

Individuals who wish to appeal a decision must submit their request for review in writing to the DoS/VPSA or the ADoSA (for cases that were not heard by the IB/AHB) within **five business days** after receiving notification of the outcome being appealed. Upon receiving an appeal, the appellate officer may decline to consider the appeal if it is not based on one or more of the criteria listed above. If the appellate officer considers the appeal, they may review the record of the case and the Responding Student's prior disciplinary history (if any), and may consult participants present at the initial hearing (if any) as deemed appropriate. If the appeal is granted, the appellate officer may alter the result of the case as to responsibility or sanctioning, remand the case to the original hearing board to reconsider some or all of the case, or direct that a Board of Appeals hearing be convened to reconsider some or all of the case. The decision of the appellate officer is final, subject to any further proceedings ordered by the appellate officer as described above.

Board of Appeals (BOA): At the discretion of the DoS/VPSA or ADoSA, the BOA may review cases heard by administrative conference or the IB/AHB. BOA members are appointed by the appellate officer from the pool of AHB members who did not participate in the initial hearing (if any). BOA membership is three faculty and/or staff and advised by the DoS/VPSA.

Disciplinary Record

The outcome of a conduct resolution (administrative conference, restorative justice conference, and/or Integrity Board/Administrative Hearing Board/Adjudication Panel) is part of the education record of the Responding Student and is protected from release under the Federal Education Rights and Privacy Act

(FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or nonforcible sex offense, the College will inform the alleged victim in writing of the final results of a hearing regardless of whether the College concludes that a violation was committed. Such release of information may only include the Responding Student’s name, the violation committed (including both the College policy(ies) violated and the findings of fact supporting the conclusion that the violation occurred), and the sanctions assigned (if applicable).

In cases where the College determines through the student conduct process that a student violated a policy that would constitute a “crime of violence” or forcible or nonforcible sex offense, the College may also release the above information publicly and/or to any third party. In addition, the College reserves the right to release information regarding disciplinary proceedings in other circumstances when required or permitted under applicable law, including but not limited to FERPA.

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(f)(i)(i)-(viii), Skidmore shall make a notation on the transcript of a Responding Student found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the Responding Student who withdraws from Skidmore while such conduct charges are pending, and declines to complete the disciplinary process Skidmore shall make a notation on the transcript of such students that they “withdrew with conduct charges pending.” Students who are suspended after a finding of responsibility for a code of conduct violation may submit a written appeal to the Dean of Students/Vice President of Student Affairs requesting that the transcript notation be removed from their transcript. Such a notation may not be removed from a student’s transcript prior to one year after conclusion of the suspension. Notations for expulsion will not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

All conduct records are maintained by the College for seven years from the time of their creation except those that result in separation (suspension or expulsion), those that fall under Title IX, and violations of academic integrity, which are maintained indefinitely. Additional information about privacy, FERPA, and Skidmore student educational records can be found at this website: <http://www.skidmore.edu/registrar/transcripts/index.php>

Section II: Skidmore Student Bill of Rights

History

The Student Government Association, working with faculty and administration, developed the Student Bill of Rights. Formally adopted in 2003, the Student Bill of Rights elaborates the rights to freedom of speech and inquiry, assembly, press, religion, and privacy essential in an academic community. It complements the responsibilities outlined in the Honor Code and guides administrative policy and practice.

Preamble

We, the students of Skidmore College, recognize that this academic institution exists for the pursuit of knowledge, truth, and individual development. Free inquiry and free speech are indispensable to the attainment of these goals. As members of the Skidmore community, we have the responsibility to contribute to an environment of trust that protects the freedom of all to exchange and develop ideas; only in such trust and freedom is it possible for students to live together and learn from the faculty and one another.

Any violation of the principles embodied in this document, the Skidmore College Catalog, or other documents pertaining to student rights that have been ratified by the student body, should be handled in a manner that protects the rights of all parties involved. The following rights are inalienable and belong to the students of Skidmore College.

I. Rights of Citizenship

As members of the Skidmore community, students enjoy freedom of speech, peaceful assembly, the press, and religion, and the right to petition, limited only by protection of property, safety, and mutual respect.

Students' personal mail or electronic mail cannot be opened or read by others without their expressed permission. Students expect to be treated fairly and with respect by all members of the Skidmore community.

II. Rights in Academic Affairs

Skidmore College affirms the following principles outlined in the American Association of University Professors' Statement of Professional Ethics:

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom. Their primary responsibility to their subject is to seek and to state the truth as they see it. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty.

III. Rights in Student Affairs

A. Freedom of Association

1. Students have the right to participate in the formulation of College policy by serving as members of appropriate committees as described in the Faculty Handbook, SGA Constitution,

and Student Handbook.

2. Students are free to organize and join associations to promote their common interests.
3. Membership in all SGA clubs and organizations, including those affiliated with outside organizations, must be open to students who meet the criteria set forth in the respective charters.
4. Students who are members of the SGA, and who meet the criteria set forth in the SGA Handbook, may hold any elected or willingness-to-serve position.

B. Freedom of Inquiry and Speech

1. Students, independently and collectively, are free to examine and discuss all questions of interest. Students are free to support all causes through peaceful means and to debate opinions both publicly and privately.
2. Skidmore students may invite and hear the views and ideas of any person as long as the safety of all parties is ensured.
3. The institutional control of campus facilities cannot be used as a device of censorship.

IV. Rights in Disciplinary Proceedings

- A. Students have the right to be informed of the College's expectations for student behavior, both inside and outside of the classroom. Actions violating stated rules and regulations in the Handbook will not be excused with pleas of ignorance. If the Handbook seems unclear, students are encouraged to contact the Dean of Students and Vice President for Student Affairs for clarification.
- B. Students' personal possessions or residences can only be searched as agreed upon in the Room and Board Agreement.
- C. Any student charged with violating College policy has the right to receive a fair hearing. All disciplinary procedures must be clearly formulated, promulgated, and consistent. Students must be informed of the nature of the charges against them and given a fair opportunity to respond to them.

V. Community Accountability

If administrators, faculty, students, or other community members violate the Skidmore College Honor Code and/or other College regulations, including this Student Bill of Rights, students may pursue appropriate recourse as outlined in College policy, utilizing the appropriate judicial body or officer.

VI. Amendments and Changes

The procedure for the amendment of this Student Bill of Rights shall be:

Any matters deemed to affect the faculty, administration, and students, or any grouping of the above, will be referred to the Institutional Policy and Planning Committee (IPPC). Any matters deemed to affect SGA solely will be handled by steps 1-5 below.

- A. A recommendation from any member or division of the SGA to the Senate.
- B. The study and approval of two-thirds of the Senate.
- C. The presentation of the proposed amendment to the student body.
- D. The approval by the students, as constituted by a majority of the votes cast voting yes for passage.
- E. The presentation of proposed changes to ACC by a member of SGA.

This document, like all others at Skidmore College, is subject to changes in federal, state, and local law and shall be altered accordingly in the event of a modification to such law.

Section III: College Policies

Administrative/Office Policies

Administrative Complaints

Student Affairs views Skidmore students as emerging adults responsible for managing, with our support and guidance, their academic and personal affairs. While we are often inclined toward solving problems for our students, we try instead to help them acquire the information and strategies that they need to explore possible remedies for their concerns. We ask parents to trust this educational effort whenever possible, rather than intervene with an office or program on behalf of students.

When students have questions about College policy or practice, we expect them to review the appropriate policies and handbooks and to pursue their concerns directly with the appropriate office or program. As examples, students should direct questions about housing to the Office of Residential Life and questions related to financial aid to the staff of Financial Aid Office. Student Affairs staff are available to advise students about appropriate offices and best strategies in most circumstances.

If a student remains dissatisfied with the decision of an office or program, the student can ask the dean or vice president responsible for the area of concern to review the decision or policy. However, the dean or vice president will not change a decision that seems consistent with general principles of fairness, equity, and College policy. In the majority of academic situations, moreover, the faculty exercise final authority for decisions regarding the classroom, course requirements, and academic standards and expectations.

In most complaint-resolution cases, the dean or vice president's decision is final. If students or parents remain dissatisfied with the decision, they may ask the President to review the practice or policy. Students and parents should write to the President, explaining the circumstances and describing the conversations that have taken place with other College staff. If the appropriate dean or vice president has not yet reviewed the decision, the President's Office will generally direct students and parents to the campus office most directly responsible for the area of concern. The President only reviews situations or problems of substantial consequence to students or parents and of broad concern to the College.

Procedures for Filing Administrative Complaints

The College provides a variety of avenues for students and parents to follow should they experience difficulty getting their needs met. Typically, these needs involve issues of student residence and student life, finance, academic requirements, parking, etc. Whenever students and parents have questions about College policy or practice regarding these and other issues, the best course of action is to pursue conversations with the appropriate offices. For example, student housing and student life questions are best directed to the Office of Student Affairs, working with staff first and, if students and parents are not satisfied, progressing to a conversation with the Dean of Students and Vice President for Student Affairs. The same pertains to questions involving finance: The Office of Financial Services and the Office of Student Aid and Family Finance are the first points of contact.

However, should students and parents find that their concerns have not been adequately addressed, they have recourse with the President's Office via the Special Assistant to the President. Students and parents should call or write the President, explaining the circumstances and describing the conversations that have taken place with other College staff. (If the President's Office is the first point of contact, students and parents will be directed to the appropriate campus office for resolution.) The Special Assistant to the President, and the president if necessary, will assess cases and then respond to the student or parent in

written correspondence, with a phone call, or both. Neither the President nor their staff is prepared to change policy, but contact with the President's Office may help facilitate resolution in difficult cases.

Grade Changes or Disputes

All grades are considered final once they are submitted to the Office of the Registrar. An instructor may request a change in the student's grade only if the instructor has made a computational or clerical error (or if an academic integrity infraction requires a change in the course grade). No grade may be changed on the basis of retesting or supplementary work. Except in the circumstances outlined in the Policy to Appeal a Final Failing Grade (Faculty Handbook, Part Two, III, D—effective June 2010), petitions to change grades must originate with the faculty members concerned and be brought before the Committee on Academic Standing (CAS) for consideration.

Excerpt from 2011-2012 Faculty Handbook, Policy to Appeal a Final Failing Grade, Part Two, III, D

D. Policy to Appeal a Final Failing Grade

Preamble

Instructors are responsible for clearly articulating the basis for determining students' grades. Sharing the basis for grades is essential to ensure fair and equitable treatment of students and their work. A student has the right to be informed in a timely and clear manner of the basis for the evaluation of their academic performance in a course, and a student is entitled to fair, equitable treatment in their academic relationships with members of the faculty. In most, if not all instances, the College expects any misunderstanding regarding grading will be resolved informally, either in writing or in discussions, between a student and an instructor. The following appeal process is only for final failing grades.

Appeal Process

A student who believes that he or she has a legitimate grievance that their coursework has been evaluated in a prejudicial or capricious manner in the calculation of their final failing grade should first make a request in writing to the faculty member involved to confirm that no computational or clerical error has been made. The student must make this request not later than two weeks after the start of the following semester. The instructor must respond to the student in writing within two weeks of receipt of the request. Ideally, the student and faculty member should then meet to discuss the final grade in question. If the communication between the instructor and student results in the instructor requesting to change a grade, then the instructor must submit a petition to change the grade to the Associate Dean of the Faculty for Academic Advising and the petition must be brought before the Committee on Academic Standing (CAS) for consideration. If the student is studying away from Skidmore College in the following semester, or if the faculty member is on leave in the following semester, the request for an explanation still must be filed within two weeks after the start of that semester. But, if the student or the faculty member makes the request, the appeal process may be deferred by the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising until the student returns to their studies on campus or the faculty member returns from leave.

If the student is not satisfied with the instructor's explanation, or if a meeting with the faculty member was not possible or not advised, or if the instructor did not respond within two weeks of receipt of the student's request, then the student may report the grievance in writing with supporting documentation to the appropriate department chair (in the case of an ID course, to the chair of the faculty member who has assigned the grade) or program director and submit a copy of the report to the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising. If the instructor is the department chair or program

director, the request may be addressed to the Dean of the Faculty. The student must make this request within four weeks after having sent their initial request for an explanation from the instructor. The student's supporting documentation must provide evidence of prejudicial or capricious grading. In particular, the student must provide evidence of one or more of the following conditions:

- a. The instructor used inappropriate criteria in determining a final failing grade.
- b. The instructor assigned a grade on some basis other than performance in the course.
- c. The instructor did not adhere to stated procedures or grading standards.

The appropriate department chair or program director must respond to the student in writing within two weeks of receipt of the request. The department chair or program director will contact the instructor to obtain an explanation of the criteria and standards used in evaluating the student's course work. If, after consultation with the faculty member (when possible) and after a review of the written evidence, the appropriate department chair or program director finds legitimate cause for the complaint, he or she will try to work toward an equitable solution with the student and faculty member. If the solution results in the instructor requesting to change a grade, then the instructor must submit a petition to change the grade with the Associate Dean of the Faculty for Academic Advising and the petition must be brought before the CAS for consideration.

If the appropriate department chair or program director concludes there is no cause for the complaint, or if there is a disagreement between the appropriate department chair or program director and the faculty member, the student may request in writing a review by the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising, the faculty member, and the appropriate department chair or program director. The request must be submitted to the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising by the end of the semester following the semester in which the grade was awarded.

The written request must include a full account of the incident or circumstances giving rise to the complaint of prejudicial or capricious grading. If the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising conclude there is no cause for complaint, the Dean of Faculty will inform the student, the instructor, and the appropriate department chair or program director in writing that the appeal has been denied. If, however, the review results in the instructor requesting to change a grade, then the instructor must submit a petition to change the grade with the Associate Dean of the Faculty for Academic Advising and the petition must be brought before the CAS for consideration.

If the Dean of the Faculty and the Associate Dean of the Faculty for Academic Advising recommend changing the final failing grade to a passing letter grade, and if the faculty member who gave the original grade objects to changing the final failing grade to a passing letter grade, then the Dean of the Faculty, in consultation with the Associate Dean of the Faculty for Academic Advising and the department chair or program director, may recommend to the faculty member changing the grade to Satisfactory.

If the faculty member rejects the recommendation of the Dean of the Faculty, Associate Dean of the Faculty for Academic Advising, and the appropriate department chair or program director, to change the final failing grade to a passing grade or to Satisfactory, the Dean of the Faculty, with the Associate Dean of the Faculty for Academic Advising, may submit a petition to change the grade to the CAS for consideration. Only the faculty representatives on CAS have the authority to change the final failing grade to Satisfactory, and only following a vote where the majority of those faculty representatives on CAS approves the change.

A student's failure to meet time limits will result in denial of the student's appeal. If the faculty member, department chair, program director or dean fails to meet a deadline, the appeal will move to the next level.

Athletics

Crowd Control Statement

To be read before every home event where an announcer is present:

Good (morning/afternoon/evening), Skidmore College promotes good sportsmanship by student-athletes, coaches, and spectators. We request your cooperation by supporting the participants and officials in a positive manner. Disruptive or disrespectful language or actions directed at officials, student-athletes, student-athletes, coaches, or team representatives may be grounds for removal from the site of competition. Consumption or possession of alcoholic beverages is prohibited. We appreciate your support of Skidmore athletics. Thank you.

Fan Participation at Athletic Events

Realizing the importance of fans and their role in creating excitement and enthusiasm, the following guidelines have been adopted to ensure that healthy, energetic support continues at Skidmore athletic events.

1. Spectators are an important part of all athletic events and are encouraged to adhere to accepted standards of good sportsmanship and behavior.
2. Enthusiastic cheering for one's own team is encouraged.
3. Spectators should, at all times, respect officials, visiting coaches, players, and cheerleaders as guests of the community.
4. There will be no ringing of bells, sounding of horns, or other artificial noisemakers at contests during play.
5. During contests, all fans are to remain in the designated spectator areas.
6. Spectators will observe all New York State laws and campus policies regarding alcohol consumption.

(Adopted by Skidmore Code of Conduct Committee, April 1993)

Dining Services Policies

1. Dining halls open in the fall on the approved students' arrival date. Dining halls are closed during Thanksgiving, winter and spring vacations.
2. Residence hall students are required to hold the Unlimited Meal Plan.
3. Apartment and/or off campus students may select any meal plan offered (see the Dining Services website for details).
4. Students unable to present their College identification card at meal time may pay the guest meal rate and receive a refund in the Skidmore Card Office upon presenting a validated College identification card.

5. All students are responsible for abiding by all Dining Services policies and procedures (see the Dining Services website and the Skidmore College Student Handbook for further information).
6. Please note: Dining Hall hours are subject to change.
7. Students who dine in Skidmore Dining Services facilities are held to the same student conduct standards that exist through all aspects of College life. The following constitute violations of Skidmore Dining Services policies which may occur in any Dining Services facility:
 - a. Our “all you care to eat” policy provides you with plenty to eat while you are dining in the Murray-Aikins Dining Hall. The food students select must be consumed in the dining hall; they may not take anything out except for a piece of hand fruit, an ice cream cone, or a cookie per meal.
 - b. Theft of any utensils, dishware, glasses, or any other supplies or equipment from any Dining Services facility or catered event.
 - c. The consumption of food or drink in Murray-Aikins Dining Hall without a valid meal plan and/or paying cash at the door.
 - d. Skidmore College ID cards are non-transferable. Meal plans are non-transferable and meant for the sole use of the student to whom it was issued. ID card misuse is strictly prohibited, including but not limited to lending, borrowing, or misrepresentation of any kind.
 - e. Entering, or attempting to enter, the dining hall through an unauthorized entrance.

Sanctions

The list below summarizes the range of possible sanctions for violations of the Dining Services Policies. The College generally interprets more than three violations of these policies as indication that the student is unwilling to abide by College regulations:

- **1st offense:** Meeting with a Dining Services administrator, cost of meal and/or restitution if applicable, and warning.
- **2nd offense:** Meeting with a Dining Services administrator, cost of meal and/or restitution if applicable, written warning, and a \$25 fine.
- **3rd offense:** Meeting with a College Administrator, cost of meal and/or restitution if applicable, written warning, and a \$50 fine.
- **4th offense:** Referral to the Integrity Board or for administrative discipline.

Other sanctions may be levied as a response to more serious violations.

Residential Life

Philosophy

The Office of Residential Life provides a residential experience that supports the academic and personal development, and co-curricular experiences of students. We regard students as maturing individuals and expect them to accept responsibility for their academic, personal, and social lives.

Mission

The Office of Residential Life supports students as they navigate the challenges and opportunities presented by community living experiences. We provide multiple housing options and serve as a resource for students. We foster personal development and accountability by implementing the Residential Education Model, maintaining community standards, and intentionally training and mentoring Resident and Unit Assistants.

Housing Policies

All students residing in on-campus residence halls or apartments are expected to abide by the housing rules and regulations published on the Office of Residential Life website. The policies can be found here: http://www.skidmore.edu/reslife/docs/Housing_Process_Policies-_16-17.pdf.

Campus Safety

The Director of Campus Safety is responsible for maintaining a safe campus environment. Campus Safety works with Student Conduct and Conflict Resolution, Residential Life, and other offices and programs to present a comprehensive program of personal and fire safety seminars, notify the community of emergencies and investigate complaints, including complaints about criminal behavior.

Campus Safety enforces College regulations including those regulating parking, the operations of motor vehicles and alcohol. A full description of parking, motor vehicle, and snow removal policies is available on the Campus Safety website at www.skidmore.edu/campus_safety.

To report an emergency or request assistance, call 518-580-5566. 911 calls will be answered by the Saratoga Springs police. Cell phone 911 calls will be answered by the New York State Police.

Skidmore College Emergency Medical Services (SCEMS), a student-run Basic Life Support First Response (BLSFR) organization, will be dispatched by Campus Safety to medical emergencies on campus while SCEMS is in service. SCEMS is in service during the fall and spring semesters from 4:30 pm to 8:30 am on weekdays and offers 24-hour service on Saturdays and Sundays. Saratoga Springs Fire Department, or another emergency medical service, will also be dispatched if transport to a hospital is necessary or if SCEMS is not in service. A full description of SCEMS' operations can be found at www.skidmore.edu/sga/scems.

Skidmore College Safety and Security Report

Skidmore College's Annual Safety and Security Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings owned or controlled by Skidmore; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, bias related crime, and other matters. The Advisory Committee on Campus Security will provide, upon request, all campus crime statistics as reported to the Campus Safety (518-580-5566). View the Skidmore College report at <http://www.skidmore.edu/flip-books/campus-safety/>.

Losses

The College does not accept responsibility for any thefts or losses in student rooms, trunk rooms, storage areas, or anywhere in College buildings or on campus at any time, either during an academic term or during recess. This applies to damage from water, steam, soot, smoke, fire, or any other destructive force. It is strongly advised that all students be certain that they are protected by family homeowner's insurance.

Lost and Found is located at the Campus Safety office in the basement of Jonsson Tower. Any student losing property on campus should immediately report the loss to Campus Safety. Additionally, all found property should be turned in to Campus Safety. All such property will be retained until claimed or until the expiration of the legally required retention period.

Motor Vehicle and Parking Rules and Regulations

All students, faculty, and staff are required to register their vehicles that are parked on campus with Campus Safety. Students residing on the main campus pay an annual parking registration fee. Students residing off campus do not pay a parking registration fee. Skidmore community members who bring motor vehicles to campus are fully responsible for all policies pertaining to parking, snow removal, moving violations, and payment of tickets issued for non-compliance. Copies of the MV and Parking Rules and Regulations are available on the web at http://www.skidmore.edu/campus_safety/vehicles/index.php.

Inclement Weather and Emergency Closing/Delay Policy

As a residential institution, Skidmore operates on a continuous 24-hour, 12-month basis. There may be rare occasions, however, when the College may suspend or limit some operations and/or special events due to severe inclement weather or other emergencies.

Decisions for delayed campus openings, early releases, or campus closures due to inclement weather or other emergency will be made by the President or designee in conjunction with other College administrators based on National Weather Service advisories, law enforcement bulletins, and/or other reliable emergency notifications.

In instances of delayed openings, early releases, or campus closures, only designated emergency personnel (those responsible for keeping the basic services of the campus operating) will be required to work or remain at work; such employees are expected to follow their regular work schedules unless otherwise directed. As a general guideline, this will include the staff in Campus Safety and Facilities Services. When residence halls are occupied, the Dining Services, Health Services, Library, and the Sports Center staffs are also designated as essential. During the summer months, Special Programs employees are considered essential. Other essential employees include Information Technology and those responsible for animal care. This list is not all-inclusive, and in the event that other departments are deemed necessary, department directors will notify personnel in those areas.

Campus Closure or Delayed Openings

In the event of campus closure or delayed opening, announcements will be sent to the following media and internal communication networks:

- The School Closings Network, an organization that compiles and sends notices from schools around the region and submits them to the following media outlets: Capital News 9, The Daily Gazette, The Post-Star, The Times Union, WFLY, WGY, WNYT-TV, WRGB-TV, WTEN-TV, WRVE, WYJB, WXXA, and its own web site, www.schoolclosingsnetwork.com.
- Email message to campus community
- Voice mail message on Skidmore main number
- Announcement on Skidmore home page
- Voice mail to all employee Skidmore phone extensions

- Automated telephone message on 580-SNOW through Campus Safety
- Instant alerts to all student, faculty, and staff cell phones, email accounts, pagers, and web pages for those registered with Skidmore's Urgent Notification System (SUNS). Campus community members may register for SUNS via the following link:
<https://www2.skidmore.edu/e2campus/index.cfm>.

NOTE: A siren will be used in case of an imminent emergency.

Early Release

In the event of an early release, the voicemail and email systems will be utilized to relay information to employees. Employees are required to confirm that they are released from work with their supervisors prior to leaving campus.

Reopening

Whenever possible, information about the expected date and time of reopening will be communicated at the same time as an announcement of a closure, delayed opening, or early release.

Leave Time

In the event the College designates campus closures, late openings, or early releases, regular and temporary faculty, administrative/professional staff, support staff, and union employees who were scheduled to work will be paid their regular salary or wage.

Other Options

If Skidmore has not officially delayed or closed, but an employee is unable to come (or remain) at work because of adverse weather conditions or other emergency conditions, the following options are available:

- The supervisor may allow late arrival or early release not to exceed a total of two hours of paid time for nonunion staff.
- The employee may request time off charged to existing paid leave: absence leave for union staff; personal hours, vacation, or floating holiday for nonunion staff.
- It is the expectation that classes will be held when the College is open, however, if a faculty member is unable to come (or remain) at work because of adverse weather conditions or other emergency conditions, it is the responsibility of the faculty member to contact the Department Chair or departmental contact person and inform them that the faculty member is canceling class.

Note: If an employee had previously scheduled a vacation (or any other paid leave) day on a day of suspended operation, the entire day will be charged as previously arranged and approved in advance.

https://www.skidmore.edu/emergency/responses/weather_emergency_closing_delay.php

Political Activity and Demonstrations

Policy on Political Activity¹

Preface

Skidmore College is deeply committed to the values of academic freedom and encourages robust discourse reflecting a broad range of ideas, perspectives, and opinions; the College also is deeply committed to educating our students about informed, responsible citizenship and to reflecting that commitment broadly throughout the campus community. Skidmore prepares students “to make the choices required of informed, responsible citizens” by, among other things, encouraging and supporting their active participation in electoral politics. Therefore, the College invites, encourages, and welcomes all political parties, campaigns, and advocacy organizations working with student groups to campus subject to the rules related to the use of facilities and public safety.

At the same time, as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, Skidmore College is prohibited from directly or indirectly participating or intervening in any political campaign on behalf of or in opposition to any candidate for elective public office. This prohibition applies to all campaigns, including campaigns at the federal, state, and local level. Violations of this prohibition may result in the denial or revocation of the College’s tax-exempt status.

The prohibition on political campaign activity applies only to the College (the tax-exempt charitable organization), not to the activities of individuals in their private capacity. The prohibition on political activity is not intended to restrict free expression on political matters by leaders or officials of the College as individuals. Similarly, the prohibition on political campaign activity does not prohibit the College from having contact of any kind with individuals who are candidates for public office. This prohibition and other laws (for example, laws that regulate lobbying activity intended to influence proposed legislation), however, do impose certain limitations on expressions of political opinion by the College or those acting in official capacities on the College’s behalf.

The purpose of this policy is to articulate how the College balances those sometimes-competing values. This policy addresses political activity of the College, not the political activity of individuals. Nothing in this policy is intended to restrict individual freedom of speech or the robust exchange of ideas and viewpoints that are fundamental to the College’s educational mission.

Definitions

For purposes of this policy:

“Nonpartisan” refers to political activities or events that present an exchange between or among candidates for political office or that offer balanced, neutral, or impartial viewpoints and perspectives on issues of public concern.

“Partisan” refers to political activities or events that support or oppose a candidate for political office or that support or oppose a position on an issue for the purpose of assisting or opposing a political candidate.

¹ Vetted by the Faculty April 6, 2012 (Faculty Meeting Committee of the Whole discussion). Vetted by the Student Government Association Senate on April 17, 2012. Endorsed by the Institutional Policy and Planning Committee on May 4, 2012. Approved by Cabinet on May 14, 2012. Minor revision to the Preface made on October 14, 2013. Responsible Office: Office of the Vice President of Advancement.

Part One: Nonpartisan Political Activity

1. The appropriate role of the College with respect to political activity, consistent with the law and the College's educational mission and its commitment to academic freedom and responsible citizenship, is to serve as a neutral and fair forum for all candidates. The following nonpartisan activities are permitted, provided they are carried out in a nonpartisan, unbiased manner:
 - a. Speakers who are addressing matters of public concern in the context of an educational lecture or presentation, even if the speaker holds or is a candidate for a political office.
 - b. Updates or issue talks by current holders of political office.
 - c. Debates between or among candidates for political office.
 - d. Impartial voter registration drives.
 - e. Events and educational efforts encouraging students to vote either locally or in their hometowns.
2. College space and facilities may be used for such nonpartisan activities on an impartial basis consistent with any otherwise applicable College policies and procedures.
3. Nonpartisan lectures, debates, and other events may be supported by funding from sources external to the College, provided that preference for seating at such events will be given to Skidmore students and other members of the Skidmore community.

Part Two: Partisan Political Activity

Skidmore College is prohibited from participating or intervening in any political campaign on behalf of or in opposition to any candidate for public office. Therefore, individuals associated with the College must observe the following requirements with respect to participation in national, state, or local partisan political activities:

1. When participating in partisan political activity as an individual, individuals connected with the College must make it clear that their views are their own and do not represent the College. A statement indicating that views on political candidates or issues are those of the individual, and not the College, is especially important when a speaker identifies themselves, biographically, as an employee of the College.

Special note for faculty: The following language in Part One of the *Faculty Handbook* is particularly relevant for members of the faculty:

Skidmore College vigorously endorses the principle of academic freedom. . .

Faculty are members of the community, members of learned professions, and professional representatives of an educational institution. When they speak as members of the community, they should be free from institutional censorship or discipline, but their special position in the community imposes obligations. As persons of learning and as educational officers, they should remember that the public may judge their profession and the College by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons. The College recognizes the right and the responsibility of faculty members to speak as members of the community on issues of public concern.

2. Skidmore employees are free to exercise their right to work or speak on behalf of political candidates or issues, but must avoid doing so in a way that interferes with their responsibilities to the College.

3. College resources, including but not limited to the following, may *not* be used for political campaign purposes:
 - a. The College's campus mail or bulk-mailing privileges.
 - b. College mailing lists, including use of College email accounts and College-maintained email lists. This limitation does not apply to student communications on student-only lists.
 - c. College-provided office supplies, letterhead, telephones, fax machines, copiers, etc.
 - d. College's support services (for instance, secretarial).
 - e. The College name or official Skidmore College Graphic Identifiers (e.g., seal, watermark, athletics mascot, "Creative Thought Matters" or other positioning statement, etc.).
 - f. The College's website.

Part Three: Use of College Facilities for Partisan Political Activities

As described above, the College is obligated by law to refrain from supporting particular candidates or taking positions on political issues (except in the context of College-approved lobbying activity related to our educational purposes and programs – see Part Four below).

As an educational institution, and in order to ensure that Skidmore maintains a neutral and fair forum for all candidates, the College uses the following criteria when considering requests to use campus facilities for partisan political activities:

1. College-related organizations (including student groups) comprised solely of members of the College community may utilize available College space for partisan political campaign activities provided that the following conditions are met:
 - a. The College-related organization is responsible for compliance with all policies related to the rental of College facilities, including payment of rental fees that would otherwise be charged.
 - b. The College-related organization is responsible for ensuring that all costs associated with the event are paid (including telephone and fax usage, photocopying, electricity, facilities personnel, Campus Safety or police coverage, receptions, travel costs, etc.)
 - c. All publicity for the event must include identification of the sponsoring organization and a disclaimer indicating that the College does not support or oppose candidates for political office and that the opinions expressed are not those of the College. A member of the sponsoring organization must make the same disclaimer at the beginning of the event.
 - d. No Skidmore College banners or insignias may be displayed at the event in a manner that implies institutional support for a particular candidate.
 - e. College space and facilities may not be used to solicit funds for political candidates.
 - f. All requests for events must be in writing and submitted in advance for approval by the Dean of Student Affairs or the Dean of the Faculty or their designee, as appropriate, along with all plans, publicity, and other information related to such activities. The Office of Communications is available to consult with members of the Skidmore community about such activities.
2. College space and facilities will be made available on an impartial basis. Consistent with the College's educational mission and given the high demand for College space in general, requests made in association with an academic class or by a recognized student organization will be given the highest priority.
3. Candidates for political office and individuals representing their campaigns are prohibited from

entering College residential facilities for purposes of leafleting or engaging in other campaign-related activity.

Part Four: Lobbying activity

Speaking with elected officials or otherwise attempting to influence the passage or defeat of legislation, rules, regulations, ordinances, or similar legal documents constitutes lobbying activity. Such activity is strictly regulated. Skidmore College employees may not express an opinion about proposed legislation or otherwise attempt to influence state or local officials, on behalf of the College, without first receiving approval from the Cabinet.

<http://www.skidmore.edu/vote/>

Campus Demonstrations and Protests

Campus demonstrations—such as marches, meetings, picketing, and rallies—will be peaceful and non obstructive. Student demonstrations are permitted, provided that participants are not violating the Honor Code or Code of Social Conduct. It is against College policy to cause, incite or participate in any disturbance that presents, causes, or creates a significant risk of, physical or emotional harm to others, and/or damage and/or destruction of property. Such violations might include but are not limited to the following:

- Intentional or reckless interference with normal College activities and functions. Examples of such activities/functions include but are not limited to interference with studying, teaching, public speaking, research, administration of the College, or emergency (Campus Safety, fire, or police) operations.
- Intentional interference with the freedom of expression of others.
- Actions, explicit or implied threats, or gestures, which place a person in reasonable fear of unwelcome physical contact or harm.
- Intentional or reckless behavior which may, or in fact does, deface or cause damage to College property or the property of others.
- Obstructing access to offices, buildings or other College facilities.
- Unauthorized entry into or occupation of any College room, building, or area of the campus, including such entry or occupation at any unauthorized time.

Leadership Activities & Student Government Policies

Event Planning

Bake Sale/Student-Prepared Foods and Catering

New York State allows the sale of home-baked goods to consumers, but places certain restrictions on what types of bakery items a home processor can produce and where those products can be sold in order to protect the general public. If you want to sell home-baked goods in New York, you are limited to breads, rolls, cookies, cakes, brownies, fudge, and double-crust pies. Additionally, while you can sell your goodies at farmers markets, farm stands, flea markets, craft fairs, and similar venues, the home food processor's exemption from standard food processing regulations does not allow Internet sales. For specifics, please reference the [NY Department of Health regulations for Non-Profit Food Establishments](#).

Students interested in selling food products for a profit should also refer to the Skidmore [fundraising policy](#).

Licensing exemption is limited to non-potentially hazardous foods such as:

- Bakery products for wholesale sales; i.e. bread, rolls, cookies, brownies, fudge, double-crust fruit pies, and cakes that require no refrigeration
- Jams, jellies, marmalades, or similar products
- Candy (not chocolate)
- Spices or herbs
- Snack items such as popcorn, caramel corn, and peanut brittle

This means only foods that are not potentially hazardous may be sold or provided. Hazardous foods include foods that contain meat, poultry, fish, or uncooked or partially cooked eggs (such as mayonnaise or custard, quiche, etc.) or any foods that are required to be heated or cooled. No student-prepared foods that require heat or refrigeration may be offered. Exceptions to this rule may be made when approved means of heating or refrigeration are available, at the discretion of Leadership Activities and Skidmore Dining Services. Exception possibilities apply to nonhazardous foods only.

- Foods may be prepared in a residence hall/apartment kitchenette or other kitchen facility. Students are encouraged to use appropriate care in food preparation.
- All ingredients must be listed (or available) for each food product.
- If food has nuts in it, or if it is prepared in conjunction with other foods that have nuts in them, nut warnings must be provided on all the foods, whether they have nuts in them or not. Allergen warnings must be provided on all foods with potential allergens.
- Foods in "factory packaging" are permitted (e.g. Oreo six-packs), unless they require heat or refrigeration. Exceptions to this rule may be made when approved means of heating or refrigeration are available, at the discretion of the Leadership Activities (e.g. wrapped frozen ice cream bars served out of an approved freezer).

Catered Events

Foods provided and served by a local commercial food provider are subject to catering and contracting rules and must be approved by Leadership Activities.

Dining Services provides their own [catering](#) for events; as such outside caterers are discouraged at these venues. Please contact these offices to make arrangements for food at your events, or to consider their catering offerings for other campus events.

All other arrangements for campus facilities should be made through your Event Registration Form, and in consultation with Leadership Activities. Keep in mind when planning your event that some venues are not appropriate for food service.

Events Serving Food Prepared by a Local Restaurant

Some events, or some club activities, may choose to purchase food from a restaurant to re-serve to their group. If you are purchasing hot food from a restaurant and re-serving it, the food must be served within two hours of preparation. This includes travel time; therefore any restaurant used must be within 30 minutes travel distance (max) of the campus. Restaurant pickup must be carefully arranged to collect hot food immediately when it is ready at a time just prior to serving that allows compliance with the two-hour safe-handling rule. If the group cannot comply with the safety rules, only nonhazardous foods should be served.

If the group or any member of the group becomes aware of any person falling ill from food that has been prepared, served or sold by the group, they must immediately contact the Office of Leadership Activities so that it may be reported to the Department of Health within 24 hours.

Films Screening On Campus: Laws and Resources

The laws governing the “screening” (showing) of copyrighted videos, DVDs, and even streaming web sites are very specific and enforceable with penalties ranging from fines to imprisonment. As a student event host, it is your responsibility to know the rules and abide by them.

Excellent FAQs can be found at: [Criterion Films](#) and [Swank Motion Pictures](#). More information regarding Skidmore’s policies on film showings can be found on the [IT website](#).

Before showing a film on the Skidmore campus, it is important to define whether your showing is **public** or **private**. Some movie rental companies are free/cleared to administer the leasing of copyrighted films for public performance. This means when you rent a movie from one of these companies, they will pay the royalties for the copyrights.

The “home use” versions of these same films, obtained from video stores, retailers, etc., are not cleared for public performance use at Skidmore because proper licensing fees to the copyright owners have not been paid.

Remember, any public showing requires permissions or a license, and those licenses may have restrictions about how you can advertise.

In brief, a “public” screening is defined as either:

- Presentation at a place open to the public.
- Presentation at a place where a substantial number of people who are not family members or friends are gathered. “Friend” is somewhat loosely defined as “having a social relationship” with another person.

- Presentation advertised to the public, including and especially on the Internet, chat groups, etc.

It is important to note that when a performance is physically open to the public, it may be considered a public performance, even if only a few people wander in. Conversely, performance in a private setting becomes public if a substantial number of persons who are unrelated as family or friends are present.

Here are some scenarios to help define public and private showings, and help determine if you will need to pay a license fee to show a film:

- **Public vs. Private Showings**
- Student rents a movie and shows it in their dorm room – *private*
- Student rents a movie and shows it to friends in the dorm lounge, and does not advertise – *private*
- Student rents a movie, shows it in the dorm lounge, and does not advertise and collects money to pay for cost of rental and snacks, but not for profit – *private*
- Student rents a movie and shows it in the dorm lounge, advertises in the campus newspaper and puts up posters on campus – *public (because it is advertised; a substantial number of people who are not family members or friends can attend. Therefore you will need a license for this event.)*
- Student rents movie to show at their next club meeting, and advertises this screening in the campus (not community wide) newspaper; however, the advertisement specifies that this showing is “members only” – *private*
- Student rents a movie and advertises it as a screening – *public (because this group of people might just have a common interest and not be “friends”. Therefore you will need a license for this event.)*

In abidance of copyright laws, it is extremely vital that you do not advertise your showing to the general public. Do not advertise on the Internet, posters, flyers, Facebook groups, etc., unless you are presenting a publicly licensed screening, and even then your license may restrict you to on-campus publicity.

Tip: If your club/group is looking to show a film for members only, or you are looking to show a film to a group of friends, simply invite members or friends by means of person-to-person communication and not announcements to the College community. If you feel that posters or an ad would help draw your members to the event, specify that the screening is for members only.

If your club/group wants to have a public film screening: If the film is of an academic, educational or documentary nature, consider asking for assistance through our library system, and/or related faculty members.

If you want to show a feature film, box office favorite or the like, consider talking with the Film Appreciation Troupe to either collaborate with them, or to learn more about public leasing. Currently, the Film Appreciation Troupe orders predominately through Swank and Criterion Film companies.

If you have additional questions contact professional staff in the Office of Leadership Activities.

Fundraising Activities

All fundraising activities sponsored by Skidmore organizations that are promoted on or off the Skidmore campus must be within the bounds of reasonable good taste and should reflect the high standards and values of the College.

Each College club or organization may sponsor eight (8) fundraising events per academic year. Residence halls must sponsor fundraising events that are activity oriented, (e.g. car washes, game booths, bake sales). Fundraising events of a special nature must be discussed with and approved by the Associate Director of Leadership Activities prior to scheduling. College clubs and or organizations may raise funds by selling chances, raffles, or offering door prizes within the College community only.

All fundraising activities must be scheduled in the College's Leadership Activities Office and are granted approval on a first-come, first-served basis. Student Government Association clubs and organizations and the four classes may also schedule fundraising activities through the SGA Vice President for Clubs and Organizations. Only recognized Skidmore College clubs and organizations may sponsor fundraising activities on the Skidmore campus. All sales must take place in Case Center, second floor (except for those sponsored by sports clubs and teams who may conduct fundraising sales at the Sports and Recreation Center). Depending upon space availability, the administrative assistant in the Leadership Activities Office reserves the right to limit the number of activities to a maximum of ten (10) on any given day.

If the sponsoring organization is inviting a non-College vendor to campus, it must provide the SGA vice president for clubs and organizations with the name, address, and business ID number/Social Security number of the vendor. All vendor sales must be scheduled by the campus organization representative and must be scheduled with the College Leadership Activities Office and the SGA Vice President for Clubs and Organizations. At the time the activity is confirmed, the scheduling organization must forward a vendor contract, supplied by the SGA Vice President of Clubs and Organizations, to the non-College vendor. The non-College vendor must then return the signed contract, along with a nonrefundable deposit of \$35, to the sponsoring organization by mail. This deposit is subtracted from the total 15% commission earned by the sponsoring organization. Vendors are personally responsible for paying New York sales tax on all items sold. A representative from the sponsoring organization must inform the non-College vendor that he/she may only bring merchandise into Case Center through the loading dock on the right side of the building. That representative must meet the non-college vendor at the beginning and end of each sales day.

Each non-College vendor is limited to three (3) visits per academic year. Non-College vendor sales are limited to two per day, Monday-Thursday only, 9 a.m.-5 p.m., for a maximum of three days. A maximum of two tables may be reserved for the vendor's use in Case Center. Failure on the part of the vendor to comply with the above stated College policies will result in the permanent loss of their privilege to sell on the Skidmore campus. As the vendor contract is a legally binding document, defaults will be referred to the Student Government Association legal counsel.

From Thanksgiving to the commencement of winter vacation, fundraisers are limited to two days. A maximum of one table may be reserved for the organization's use in Case Center. At all other times during the year, clubs and organizations are allowed to raise funds for a maximum of three days during any two-week period of time.

Organizations with charitable or educational purposes may use Case Center for sales provided a Skidmore club, organization, or department handles the sales through the Leadership Activities Office.

Salespersons, other than student representatives for non-College organizations (companies, businesses, publications, etc.) may register their names and associated organizations with the Leadership Activities Office, Case Center, for information dissemination purposes.

If use of other College facilities is desired, the campus representative must calendar the event with the Leadership Activities Office and pay the normal room rental rate, if any, charged to non-College organizations. Since College facilities are used primarily for College-related educational and co-curricular events, external groups may rent them only on an “as-available” basis.

Campus representatives may not use intercampus mail for distribution of their represented agency’s information, advertisements, subscriptions, etc. Posting of flyers, advertisements, posters, etc., must comply with the publicity policies that pertain specifically to non-College organizations; that is, the Leadership Activities Office will approve the posting of notices in Case Center.

Parents of students may not be solicited by students for any purpose without the approval of the Associate Dean of Students and Vice President for Student Affairs. Solicitation of parents by other members of the College community may not be made without the approval of the Vice President for Advancement.

The College mailing list and directory are not released for commercial purpose. The Spa shall not be used for sales purposes.

Student groups may solicit advertising in Saratoga Springs with the approval of the Office of Leadership Activities.

Hosting an Event

The Skidmore Events Policy is based on proven best practices among peer institutions and was formulated under the consultation of Skidmore Campus Safety, the Student Government Association, and the Campus Life and Engagement Department to respond to a growing need in our community to more uniformly, safely and consistently manage our increasingly popular and successful events on campus. This policy outlines the responsibilities and tools necessary for sponsors to comply with room capacity limits, fire-code regulations, and laws. The policy will help event sponsors regulate paid attendance to their event and will guide them in appropriately staffing to maintain orderly and safe events. It is also designed to foster greater accountability among event guests.

Events Subject to This Policy

This policy applies to all on-campus, open-to-the-public events including parties, dances, and large social events held in the SPA, Falstaff’s, Filene, and any other approved campus venue.

Events that meet any one or more of the following criteria are subject to the enforcement of these policies:

- Any party, dance, or social event advertised off campus (including word of mouth, flyers, Facebook or any means via the internet, etc.)
- Alcohol will be served at the event
- Any event with an anticipated attendance of 100 or more, including lectures, private events, etc. is subject to relevant portions of this policy

*Private, member-only/invite-only parties, and regular meetings/rehearsals/practices are exempt from this policy. These events are typically not advertised. *

Admission Policies and Advertising

Managing a safe and orderly entrance and determining and controlling maximum attendance at events have proven to be some of the most difficult responsibilities for event sponsors to meet. Therefore, a College-compliant plan must be in place before your event is advertised, and admission information should be included in all advance publicity and posted at the entrance to your event. Since consistency of campus venue and event management is essential to the ongoing safety and success of all of our programs, all event sponsors will need to follow the same practices for consistency and fairness.

Admission caps are determined by the capacity of the venue and any other attributes that may impact crowd behavior (e.g. alcohol, music).

All sponsoring clubs/groups are required to submit an Event Registration Form and confirm event safety/compliance with a representative from Leadership Activities for each event at least one full week prior to the event. At that time, the professional staff will discuss best practices and explain mandatory procedures with you. Our goal is to help you host an event that you can be proud of, one that meets your goals and reflects well on your club and its members.

Admission Prices

Skidmore's Student Government Association restricts the ticket/entrance pricing, and encourages all events to be free for the Skidmore community. Event sponsors are free to petition the SGA Finance Committee to set an admission price for their events, but sensitivity to differences in student access to luxury funds is encouraged. When asking for higher ticket prices, you may wish to consider tiered pricing and/or sliding scale options. One option for parties is to offer a lower price before a certain time, such as "only \$3 before 11 pm, \$5 after..." In addition to allowing those of limited means an option for reduced price entry, this also encourages folks to arrive early and gets the party started.

Requests for charging admission to an event must be directed to the SGA VP of Financial Affairs at least two weeks prior to your event.

Attendance Criteria/Options

In addition to the required procedures as outlined in this policy, event sponsors may choose to establish specific reasonable entry criteria for their event. If any entry restrictions are desired, it is critical that they be included in all advertising. For example, a costume themed event could limit attendance to only those wearing costumes. This must be clearly stated in all promotional materials and posted clearly at the door.

Similarly, many event sponsors seek to create social events intended primarily for fellow college students and specific guests of Skidmore students. In these cases, event sponsors may elect to set an age limit minimum for their events, such as "over 18 only."

Below is a sample entry policy you may elect to use for your event, if such a criteria are desired.

- Unescorted attendees must have a valid College ID in order to enter the event.
- Attendees without a College ID must be guests of a current Skidmore student.

- Skidmore students may bring up to four guests each. These guests must arrive and enter with the student host. Skidmore hosts are responsible for their guests throughout the event.

It is not acceptable to set any admittance criteria which are discriminatory with regard to race, color, national origin, citizenship status, creed, religion, belief, sex, marital status, sexual orientation, gender identity or expression, ability, veteran status, or any other protected status under applicable law.

Smoking Area

The purpose of the Skidmore College [Smoking policy](#) is to limit the potential exposure of students, faculty, staff, and visitors to the effects of secondhand smoke, reduce the risk of fires on campus, and to provide the community with a healthy, respectful working and learning environment. Smoking is prohibited in all Skidmore College facilities, College-owned vehicles and within 25' of all facilities on-campus. All events are “nonsmoking” and no smoking areas will be provided. Anyone found smoking inside the venue may be removed from the event and not permitted to reenter.

Advertising

College policies prohibit social events and/or advertising that use alcohol as the central theme or promote or encourage excessive alcohol consumption. An event may be cancelled if the sponsors do not adhere to this policy. It is, however, recommended that alcohol service be noted on any advertising for events for which it has been contracted so that potential attendees may make informed choices.

Similarly, sexually explicit/suggestive marketing is not appropriate for open-to-the-public social events held on the Skidmore campus. Sponsors should remain aware that any advertising for events creates a public image, not only for the sponsoring group and its individual members, but also for the institution as a whole and all Skidmore students on campus. Please be good stewards of your own and Skidmore’s collective image and reputation.

When designing your event promotions think thoughtfully about the impact your advertising will have on the nature of your event, the safety and well-being of your peers, and the overall impression of our community. Who are you appealing to and what expectations are you creating? Remember that the Internet can be used to disperse information rapidly, incompletely, and far beyond your preferred audience. Even paper flyers can circulate well beyond your intentions. A good rule of thumb for advertising is to avoid using content, images, or mixed-message slogans that you, your friends, or family would be embarrassed or concerned to see posted on the front door of your home.

All event advertising must bear the name of the sponsoring organization and the accurate admission policy information, including the admission cost, an “ID required” notice, and any other criteria set for the event. For popular events, it is advisable to note: “event may sell out: come early” or something similar.

Your event publicity should state clearly if it is an ADA-compliant accessible event, and whether or not anyone may be contacted for special needs arrangements (e.g. welcoming accommodations for guests who are blind, hearing impaired, mobility impaired, etc.).

Be sure to review the College’s [Event Publicity Guidelines](#) below.

Party and Large Event Staffing

Responsible party or large event hosting begins with adequate staffing. If your club wants to host one of these events, you must provide sufficient responsible staffing for the comfort and safety of your guests and the welfare of the general campus community, and to ensure compliance with all campus policies and federal, state, and local laws. Typically, club members constitute the working staff of a party or large event. It is also possible to enlist the assistance of another Skidmore club, in exchange for goodwill, payment to the club, and/or in trade for services.

Serving as event staff is an important, responsible, and official College role. Event staff must remain sober and on-duty throughout their shift. The club sponsoring the event remains responsible for all event staff, even if they have been recruited from another club. The host club must supply the Event Captains (more info on Event Captains below). All names of event staff must be listed on the Event Staffing Schedule (obtained from the Office of Leadership Activities). Below are minimum standards required of all event hosts. If you cannot guarantee the required staffing throughout your event, you should not plan to host the event.

Event Captains (or Event Co-Captains if your club prefers) are required, as designated 'host-managers' of the event, responsible for communicating with Campus Safety, Dining Services, Leadership Activities, and other College staff and ensuring that all doors and the entry station are fully staffed at all times. Event Captains must be members of the sponsoring club. They are required to monitor the event for safety and compliance and bring any safety concerns to the attention of Campus Safety. In the event of a sponsor staffing shortage, the Event Captain must immediately recruit sufficient staff to meet stated minimums or the event cannot proceed and/or must be ended. The Event Captain on-duty cannot be one of the designated door or ticket-station staff for more than a few minutes, as they need to be mobile to oversee all aspects of the event (Event Captains may substitute briefly for door and/or ticket station staff to allow them reasonable bathroom breaks). If your club has designated Co-Captains, at least one of the two Captains must be present and on duty at all times.

Event Captains are encouraged to meet with a professional staff member in Leadership Activities approximately two weeks prior to the event.

Event Staffing Minimums

- Staffing of other approved venues must be discussed in advance with the Leadership Activities professional staff.
- All doors and ticket station must be staffed a minimum of 20 minutes prior to the advertised start time.

Failure to staff your event according to the prescribed standards or to adhere to any of the other outlined campus event policies will result in early termination of the event and/or campus sanctions for the sponsoring organization (see below for more information).

All working staff must commit to remaining on site at their posts, in compliance with Skidmore's Code of Social Conduct, and must be sober prior to and throughout the duration of their shift. It is inexcusable to have intoxicated persons representing your organization and the College.

All on-duty event staff are encouraged to be clearly marked with badges, t-shirts, or other club-provided labels.

Accessibility

Be sure your event staff is aware of the best entrances and exits for guests with mobility issues who might be using wheelchairs or crutches, or require special parking considerations. See [Creating Inclusive Events](#) for more information.

Entry Procedure: Exit Doors

Event staff working any designated exit door are responsible for maintaining the doors as “exit only” for the event. No one, including club members, may enter through these doors with the exception of the on-duty Event Captains and Skidmore professional staff (Campus Safety, Dining Services, etc) working the event. Politely direct guests back to the entry.

Consider a training workshop for event security for students who will be working these events. The Campus Safety Officer in charge of the event will brief all student workers about appropriate safety and emergency procedures at the pre-event meeting.

Stage

Unless other arrangements are made before the performance, no one other than performers and College officials shall be allowed on the stage during the performance. Any event that does not adhere to this policy may be terminated.

Barriers may have to be used at some events to keep the crowd a safe distance from the stage.

Dereliction of Duty Sanctions

Failure to staff your event according to the prescribed standards or to adhere to any of the other outlined campus event policies will result in early termination of the event and a possible loss of club social event programming privileges in the future.

A Skidmore student club is only as strong and reliable as its weakest member or worker. Ultimately, it is the sponsor/host that is held responsible for any shortcomings in its event staffing. If an individual or individuals abandon any staffing post, the club must immediately provide replacements. There are no acceptable excuses for failure to maintain minimum staffing. Therefore it is wise to plan for several dedicated back-up staff in case of delay, illness, or dereliction of duty by others. In advance, optimally during initial planning and reinforced throughout the process, make sure everyone in your club agrees to contribute to the event you are sponsoring. As hosts you accept these tasks and responsibilities.

The host club retains responsibility for all event-related staffing and protocol. Individual Skidmore students remain responsible for their own law-abiding and College policy-compliant behavior and are subject to the sanctions administered by the Dean of Students Offices, as outlined in the College Policies section of the Student Handbook.

Additionally, performers should be advised that encouraging student behavior that violates College policy is not be permitted. For example, Performers who encourage students to engage in illegal or unsafe behavior (i.e. drug use or rushing the stage) may have their show terminated by College officials. *For example, performers who encourage students to smoke marijuana or rush the stage may have their show terminated by College officials.*

Risk

Professional staff, in conjunction with College Facilities and appropriate College risk managers, encourage all students to use good judgment and take all necessary precautions when event planning. At times, students may be asked to volunteer to, but not limited to, move furniture, break down a stage, and clean up after an event. Should a student have physical limitations and/or does not feel comfortable completing the task at hand, once the professional staff member has been advised, accommodations will be made that are within the student's abilities. Students are encouraged to make a professional staff member aware of any/all concerns related to maintaining a healthy and safe College environment for all.

Scheduling Events Policy Guidelines

General Information

- All events must be in keeping with the educational mission of the College and must uphold the high standard and values of the institution
- Segregation and discrimination of all forms is prohibited
- Where alcohol is served, both College alcohol policies and New York State laws must be observed. For further information, contact the Office Leadership Activities Office or refer to the Skidmore Student Handbook
- Program sponsors are held responsible for damages to or loss of College property resulting from a scheduled event. General closing time for most facilities is 1:30 a.m
- All fund-raising activities must be scheduled through the Leadership Activities Office and must be sponsored by a Skidmore College student club, organization, residence hall or an academic/administrative department
- No events may be scheduled after the final days of classes/during 'finals week'
- Academic classes get priority scheduling

Major Events

College policy dictates that there will be no more than one major event each evening Monday through Thursday. It is expected that every effort will be made to avoid scheduling events against All-College Convocations, Annual Named Lecture Series, or major events. For practical purposes, a major event may be defined as an event that is aimed at an all-College audience or that involves payment of an honorarium of \$1,000 or more. For information on events already scheduled, please check [Skidmore's E-Calender](#).

Special Weekends/Theme Events

Weekends that are theme-related shall be designated "Special Weekends" and shall be coordinated by the appropriate sponsoring club, organization or department. Examples of such weekends include First-Year Orientation Weekend, Oktoberfest, Family Weekend, Ring Weekend, Winter Carnival, and Spring Fling. The coordinating sponsoring group shall determine the Special Weekend logo and major events for that weekend. Event proposals from other groups may be submitted to the coordinating group for consideration. Other "special weekends" may be organized, other than the traditional annual Special Weekends, on a year-to-year basis, providing that appropriate weekend dates are available, and do not encroach upon regular co-curricular programming expectations of the many clubs and organizations at the College.

Theme Weeks and Months

(Hispanic Heritage Celebration, Native American Celebration, Multicultural Celebration, Black History Celebration, Women's Festival, Asian American Celebration, Environmental Awareness) may be noted on

the co-curricular calendar and may be recognized as such in an effort to raise community awareness. The appropriate sponsoring group(s) may reserve one “special weekend” attached to the theme week, or within the theme month; two weekday evenings (Monday-Thursday) for theme-related programs during a theme week; and five weekday evenings (Monday-Thursday) for theme-related programs during a theme month. Major campus activities sponsored by other groups may not be scheduled on these “reserved” evenings without the expressed verbal/written permission of the theme-related sponsoring group. It is expected that the theme-related sponsoring group will make every effort to plan their events well in advance of the theme week/month. If concrete plans for a reserved date are not confirmed prior to that date, then the reservation is considered canceled. Other groups may then calendar that date for non-theme-related activities. The theme-related group may schedule alternative dates on a first-come, first-served basis. Additional weekend night programs may be planned on a first-come, first-served basis, and must be considered part of a variety of weekend program offerings.

Academic Departments

Theater, dance, sports, music, art may schedule programs during special weekends, theme weeks, theme months, and reserved theme dates at their discretion. Sponsoring groups may not exercise purview over academic-related events that may need to be scheduled on theme-related dates.

Publicity of Events

A. Definition:

For purposes of this policy, publicity is defined as any form of promotion or posting used to further the mission, vision, sponsored events/meetings, or interests of a student(s) and/or student group/club at Skidmore College. Posting is considered to be any information tacked, tied, taped or stapled to any surface on campus. The College welcomes and encourages members of the College community, either as individuals or as members of campus organizations, to communicate information about events, concerns, or other matters of general interest.

B. General Statement:

Students are highly encouraged to use good judgment when posting information, images, and language about campus. Profanity, vulgarity, or other offensive language and images not conducive to the educational environment may not be included on postings. Any postings that have inappropriate and/or derogatory information directed to one specific member, or group of members, of the Skidmore community will not be tolerated. Students are expected to respect a community of diverse opinions and tolerances. While Skidmore College is a higher education environment, students must understand that the College community is made up of faculty, staff, alumni, fellow students, Saratoga Springs residents, etc. and postings should be sensitive to our expansive community. Posting locations are solely for sharing information that is intended to benefit the campus community as a whole, and may not be used solely as personal message boards. Any such posting may be removed if found posted, at the discretion of the professional/student staff without notification. Additionally, all posting locations are viewable to the public and all material should be suitable for viewing by guests of all ages. Conflict mediation is the preferred reaction to posting complaints related to good judgment, however other sanctions may apply.

The College does not require approval of campus postings before they go up. This policy is meant to guide students, groups, clubs and organizations, as well as academic and administrative departments, in appropriate use of designated posting locations. Students and student clubs may be subject to student conduct action for violation of any aspect of this policy. Possible Sanctions include, but are not limited to, verbal or written warning, campus posting restriction for a specified period of time, educational

project or assignment, and loss of campus posting privileges. A charge may be assessed if improper posting results in damage to property or requires extensive clean up. Academic or administrative offices with material posted in violation of this policy will be notified for appropriate action.

C. Sustainability Statement:

Skidmore College is committed to sustainability and the College's intention is reflected in its Strategic Plan. Skidmore strives to "enhance our ability to function as a socially and environmentally responsible corporate citizen," and "make the Skidmore campus an environmental laboratory, increase our emphasis on responsible planning for sustainable operation and continue efforts to reduce the College's 'environmental footprint'." Skidmore's policies will help guide operations to ensure that we are fulfilling our commitment to sustainability. With this in mind, the mass posting of printed flyers to announce an event is strongly discouraged, since there are several electronic means through which activities can be publicized. In the spirit of cooperation and responsibility, student clubs and committees, college departments, and other college groups are encouraged to cooperate with the event publicity guidelines listed below.

College events may be announced using Skidmore's all-College event E-calendar, the Skidmore News, WSPN Radio, Student Activities Monitor (SAM), Student Announcements, college email lists, and Scope Online. Events that are "open to the public" may be announced on WSPN and through a news release from the Office of Communications.

D. Postering/Printing Guidelines:

In an effort to support our commitment to environmental sustainability, and as per NY State fire-code, the College allows postering on campus in accordance with the following guidelines:

1. Flyers and posters may not be posted on any glass windows or doors for fire safety reasons, with the exception of the doors to the mailrooms, which are not fire exits, vehicles in college parking lots, and on the ground both indoors and outdoors.
2. All flyers and posters must include the full name of the persons/groups responsible and the date of the event. If a flyer/poster does not include the date of an event (i.e. a campus campaign), it must include a date by which the poster will be removed.
3. Flyers and posters may not be posted using duct tape, paste or glue.
4. The persons/groups responsible for a given event are expected to remove outdated flyers and posters.
5. To encourage all student clubs and committees to avoid mass posting of printed flyers/posters, the Student Government Association has limited the funds available for advertisement. College departments and other college groups are encouraged to limit printing to 25 flyers/posters for each event.
6. Leadership Activities staff or the persons/groups responsible will remove flyers and posters that violate any of the postering guidelines. If Facilities Services is required to assist in the removal, fees may apply.

7. Print on both sides of the paper as standard procedure.
8. Avoid all campus mailing of flyers whenever possible. Instead, mail announcements to department chairs and office directors for the posting in appropriate locations and for sharing with colleagues and staff. Also, use the doors to the mailrooms, which are not fire exits, to post flyers instead of individual mail announcements.
9. No more than 50% of a wall may be covered.

E. Chalking Guidelines:

In an effort to protect building facades from damage and decay and at the same time permit a form of creative expression that has proven popular with student organizations, the College allows chalking on campus in accordance with the following guidelines:

1. Chalking only on uncovered, horizontal, concrete and asphalt surfaces where the rain will wash away the residue.
2. Only erasable, water-soluble chalk may be used. Aerosol chinks and the spraying of chalk with any other substance in order to preserve it (i.e. hairspray) are prohibited. Approved chalk is available, if needed, at the Case Center Information desk located on the second floor of Case Center.
3. All chalking must be signed with the full name of the persons/groups responsible.
4. Chalking that violates any of the chalking guidelines will be removed by Facilities Services or the persons/groups responsible. Facilities Services, in coordination with the Dean of Student Affairs, may assess a removal fee.

F. Case Center Tables/Large Posters

Information tables and large posters are a great way to reach out to the community about your event or cause. The tables and large poster spaces are located on the main floor (2nd) of the Case Campus Center. At times, tables and posters can be set-up/hung outside of the campus center with approval from the Office of Leadership Activities. These spaces are by reservation only and may be reserved using your Skidmore network login using the **Online Space Request Form** or **visiting the Case Information Desk**. To ensure equitable access to limited resources, there is a 10 consecutive day limit to poster spaces per reservation.

A Skidmore student club or department must sponsor all Case Campus Center tables and posters reservations. Off-campus vendors should contact the Skidmore Shop.

G. Non-College Organization and Off-Campus Vendor Guidelines:

In an effort to reduce the number of off-campus postings and centralize the communications, the College allows postering on campus in accordance with the following guidelines:

1. Non-college organizations and off-campus vendors that wish to publicize events and advertise on campus may only post on the designated bulletin board on the first floor of Case Center.
2. Non-college organizations and off-campus vendors may advertise with the Skidmore News and WSPN Radio.

H. Additional Restrictions and Requirements:

Office of Leadership Activities acknowledges that a policy of this nature may not anticipate every possible issue that may arise with respect to club publicity. Additionally, other College policies may need negotiation if in conflict. As a result, the College reserves the right to impose reasonable restrictions and/or requirements with respect to the time, place, and manner of club publicity. These restrictions may be in addition to, or in lieu of, those set forth in the policy.

Office of Leadership Activities reserves the right to amend these guidelines at any time or as required by College, State or applicable Federal regulation change.

Travel Policy for Student Clubs

Skidmore College believes that sponsored off-campus activities can be an important part of a students' overall learning experience. However, off-campus activities can involve significant risks, both to students participating in them and also to the College based upon the manner in which students conduct themselves during the event.

The purpose of this policy is to:

1. Ensure that the College is informed of the whereabouts of students participating in travel organized by student organizations and the conditions under which such excursions shall be conducted; and
2. Provide guidelines and expectations to registered clubs and organizations regarding the planning and preparation of their sponsored event.

Requirements:

The standard of conduct set forth in the Skidmore College Student Honor Code (contained in the Student Handbook) and all College policies and procedures are applicable to the student while participating in any off-campus activity understanding that such compliance is important to the success of the event and to the College's willingness to permit future similar activities.

In addition to the Student Honor Code, participants will be expected to adhere to the following:

1. To conform their conduct to the standards surrounding the event and assume responsibility for their own actions, understanding that the circumstances of an off-campus activity may require a standard of decorum which may differ from that applicable on campus.
2. To maintain health and automobile insurance as necessary, and to be responsible for the costs of such insurance and for any expenses not covered by insurance.
3. Clubs are encouraged to charter buses or to rent vehicles for all club purposes to defer all possible damage/liability costs to Skidmore. When students use their own vehicles on authorized SGA/College business, it is their personal insurance policy that is primary coverage for liability and physical damage coverage. It is important that the individual have adequate coverage, as Skidmore's insurance provides non-ownership liability for exposure to the College only (this means the insurance covers only the College in the event of a lawsuit)
4. Complete a [Participant Assumption of Risk and Release of Liability Form](#) and register all trips through the SkidSync portal before traveling.

Procedures:

The sponsoring club must submit a Travel Registration Form to the Office of Leadership Activities 24

hours prior to traveling. A Travel Registration Form is required:

- For all trips that are to be reimbursed for mileage
- When the trip distance (one way) is 200 miles or more
- For all overnight trips
- For all off-campus sports club competitions
- For all chartered bus trips (day or overnight)
- For all plane flights (day or overnight)
- For all off-campus club activities deemed high risk (i.e. rock climbing, rafting, sailing, skiing, snowsports, polo, etc.)

Requirements will be at the discretion of the Leadership Activities staff.

This online form should be completed for the entire group (online submission is [here](#)). This should include detailed information about the event including a travel itinerary, and a list of participants. For all events, the club should designate an official trip coordinator for communication and emergency purposes.

Note: For regularly scheduled and on-going events, such as volunteer activities, clubs can register the entire set of activities as one event for the semester. Any new members who get involved after the form has been submitted can be added to the existing registration form by notifying the Office of Leadership Activities.

For Rented or College Owned Vehicles

Before operating any College-owned, rented, or leased motor vehicle on behalf of a College club or organization, club members are required to attend [Driver Safety Training](#), and submit appropriate documentation to the Leadership Activities Office at least ten days prior to the activity. The documentation will then be forwarded to the Business Services Department, where a three-year Motor Vehicle Record (MVR) will be requested from the NYS Department of Motor Vehicles through the College's insurance agent. Campus Safety will then review the MVR to grant authorization to drive. Authorization is required annually.

Driver Requirements:

In order to receive authorization to operate a College-owned, leased, or rented vehicle, students must:

- Complete the [Driver Safety Training](#)
- Possess a current valid US driver's license and be at least 18 years of age. (note: if a rental or leased vehicle will be used, compliance with that Agency's age requirement is required)
- Apply for College motor vehicle driving privileges using the Student [Driver Authorization Application and](#) be accepted in accordance with the College's MVR Standards.
- Agree to operate said motor vehicles in accordance with applicable local, state and federal laws and College's regulations, at all times (this agreement is found on the bottom portion of the Application for College Driving Privileges, and must be signed by the driver prior to the time eligibility is conferred.)
- Agree to use seat belts for drivers and passengers, when provided in a motor vehicle.

- Agree that the payment of all driver related traffic violations and citations will be the sole responsibility of the driver.
- Report any change in license status (e.g., convictions, if your license has been suspended or revoked) to the Leadership Activities Office immediately.

The College reserves the right to deny or suspend a student's privilege to operate a College vehicle at any time due to insurability concerns.

Please complete the Driver Authorization Application and return it to the Leadership Activities Office. You will be notified of your driving status via e-mail within five business days. Authorized status is active for current academic year only. Renewal is required each year.

Student Conduct Policies

Alcohol and Other Drugs (AOD)

Skidmore College, in accordance with federal and New York state law, regulates the use and possession of alcohol and other drugs on campus. The College's main objective in this regulation of AOD is to provide a safe environment that promotes academic success as well as physical and psychological health on both the individual and community levels. The College understands that students make their own choices about AOD and, when appropriate, utilizes a harm reduction framework to encourage responsible choices and safety. However, the College also believes that students should be held accountable for their choices. AOD sanctions are designed to educate students about AOD use and encourage informed decision-making while deterring illegal and unsafe behavior. Specifically:

1. *Education*: encourages students to discuss, reflect on, and receive support around issues that may contribute to AOD abuse and/or addiction.
 - a. *Educational fees*: cover the cost of evidence-based educational programming for individuals as well as for the entire Skidmore community. In the event that a student is required to complete an off-campus AOD assessment, additional fees, payable directly to the provider, will apply.
2. *Parent notification*: aims to establish a partnership with parents in reducing high-risk drinking and drug use. The College notifies parents because repeated violations of the AOD policy indicate risk both to the student personally and to the student's academic career at Skidmore. When the College contacts parents, tips are provided for beginning a non-judgmental, open, helpful dialogue between parents and students.
3. *Points*: are designed to discourage high risk AOD use. The number of points assigned correlates with the riskiness of the behavior in which the student was engaging.
 - a. *Accumulation of points*: Students who accumulate 10 or more points will be recommended for immediate suspension. The Dean of Students/Vice President of Student Affairs makes final decisions with regards to suspension.
 - b. *Point reduction and expiration*
 - i. *Point reduction*: Students can reduce up to two points by completing community service work (one point reduction for every 10 hours of community service completed). Community service for point reduction must be independent of other scheduled service work and must be pre-approved by the Office of Student Conduct and Conflict Resolution.
 - ii. *Point expiration*: Points will expire two years after they are assigned

New York State Law states that:

- No person under the age of 21 years may possess or consume alcohol
- No person shall sell, deliver, or give away alcoholic beverages to a visibly intoxicated person
- Providing alcohol to a person under the age of 21 is also against the law
- Possession of a forged driver's license is a felony
- Possession of forged college ID is a misdemeanor

Students should also be aware of a Saratoga Springs ordinance prohibiting any person to "have in his possession any open bottle or container containing liquor, beer, wine or other alcoholic beverages while such a person is on any public highway, public street, public sidewalk, public parking area or in any

vehicle or public place.” The city enforces the policy downtown, and the College prohibits “open containers” in public spaces on campus.

Students should also be aware of New York State law governing the operation of motor vehicles while under the influence of alcohol or other drugs. The College is especially concerned about the potential consequences of students driving with their ability impaired. The College will intervene with students ticketed—on or off campus—for driving under the influence of drugs and or alcohol.

Beverage Control Policies

1. The College permits alcohol in the Spa, Falstaff’s, and at official all-College events only when a College-approved vendor provides the alcohol. Students may not bring alcohol to any event. The College will consider canceling for one year any event, even an alcohol-free event, disrupted by illegal or inappropriate drinking.
2. Alcohol is available only to those 21 years or older. A valid state or federal identification card (driver’s license, non-driver identification card, etc., as per the ABC Law of New York State) and campus event card shall be the only forms of accepted proof of age for Skidmore students. Guests must show two forms of ID, at least one of them being a valid state or federal identification card.
3. When alcoholic beverages are available at an event, the sponsors may sell the alcohol on a cash-per-drink basis only and at a cost consistent with current alcohol beverage pricing. Sponsors who intend to sell alcohol at an all-College event must submit the all-College event notification form and obtain the approval of the Director or Assistant Director of Leadership Activities at least three weeks in advance of the proposed event.
4. With the exception of Falstaff’s, alcoholic beverages must be served and consumed within a designated area (“beer garden”). Only students who have shown proper proof of age may enter the beer garden.
5. At all events serving alcohol, non-alcoholic beverages and food must be available in an adequate amount, throughout the event.
6. The College does not tolerate drinking games (i.e. beer pong) in residential buildings, College events, or student parties. The College will discipline students who permit drinking games in their rooms, apartments, events, or at parties. Additionally, the College is concerned about the presence of “empties” (empty and/or discarded beer bottles/cans and liquor bottles) in residence halls and in underage students’ apartments. In the spirit of the AOD policy, the College reserves the right to respond when there is a concern for health and wellness and/or violation of College policy.
7. The College does not permit mass-consumption containers at informal (as opposed to formal College-sponsored) events in the dining halls, Case Center, academic buildings, or residential buildings.
8. At private, invitation-only functions, alcoholic beverages may be available on an open-bar basis. Individual sponsors of and guests at private functions must comply with New York State ABC laws.
9. With the approval of the Office of Residential Life, students over 21 residing in Sussman Apartments or Northwoods Village Apartments may serve alcohol at parties. The [Event](#)

[Authorization Form](#) details expectations and requirements. This form is also available in the Office of Residential Life.

Student Bartenders

Skidmore College utilizes TIPS-certified student bartenders and individuals who check identification for legal age verification at all Student Government Association-sponsored events. The College expects these individuals to abide by and enforce the Skidmore College alcohol and drug policy.

Guidelines for Marketing Alcoholic Beverages

Advertising of alcoholic beverages at College events is for informational purposes only. Alcohol may not be the primary focus of a banner, poster, flyer, or other event promotion. Alcohol advertising contained on posters, banners, flyers, etc., shall be limited solely to stating what alcoholic beverages will be sold, that a driver's license or passport and the Skidmore College campus event ID is required for purchase and consumption, and that alternative beverages will be available.

Alcoholic beverage marketing programs specifically targeting students or held on campus shall conform to Code of Social Conduct of Skidmore College and avoid sexually demeaning or discriminatory portrayal of individuals.

1. Advertising must encourage informed and responsible decisions about the use of alcohol.
2. Alcohol marketing programs directed at students, held on or off campus, may include sampling or other promotional activities only when time and quantity are limited. As with all events, sponsors must observe all other relevant regulations including the availability of alternative beverages, food, and planned programs.
3. Campus events or programs cannot include corporate promotional materials without approval of the Leadership Activities Office.
4. Students promoting local off-campus activities that involve the sale of alcohol must obtain approval from Leadership Activities before posting the marketing materials.

Laws and Policy Related to Drugs

Skidmore College prohibits the use, possession, and sale of illegal drugs or unauthorized prescription medications. All members of the Skidmore community are required to abide by federal, state, and local laws regarding these substances.

Skidmore College does not provide students protection from the law. Students found possessing or selling illegal drugs are subject to disciplinary action and criminal liability. The College may submit the names of students it believes to have supplied or sold drugs to local law enforcement authorities.

Under the New York State Penal Law:

- Unlawful possession of any controlled substance is a crime
- Giving another person an illegal drug or prescription controlled substance is the same as selling it
- The sale (or giving) of any controlled substance is a felony (this statute also includes legally possessed prescription drugs that are controlled substances)
- Possession of marijuana is against the law; the charges and sanctions vary according to the amount possessed
- The sale of marijuana is a more serious crime than simple possession
- Possession of gelatin caps, glassine envelopes, other packaging materials, or scales under

circumstances evincing intent to use is a crime

Medical Marijuana Policy

The use, possession, or cultivation of marijuana for medical purposes is not allowed in any Skidmore housing or at any other Skidmore property; nor is it allowed at any College sponsored event or activity off campus.

Students' use of marijuana (or any other drug) on College premises is strictly forbidden and subject to action under the Student Code of Conduct. Students' use of marijuana (and/or any other drug) on campus premises is strictly forbidden and subject to action under the Code of Social Conduct. Students may also face criminal sanctions for the unlawful possession, use or sale of marijuana under the NYS Penal Law.

Effective in 2016, New York State law will permit the use of medical marijuana. Students who have valid medical marijuana prescriptions may petition the College for a waiver of their requirements to live on campus. Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit marijuana use, possession and/or cultivation at educational institutions and on the premises of other recipients of federal funds. Therefore, even students with medical marijuana prescriptions will not be able to possess or use marijuana on the Skidmore campus.

Drug-Free Campus

The manufacture, distribution, dispensation, possession or illegal use of controlled substances, except by prescription, is prohibited by Skidmore College. College policy also prohibits the possession or consumption of alcoholic beverages by any person under the age of 21. For any employee over the age of 21, College policy prohibits the possession or consumption of alcoholic beverages unless they are attending a College sponsored event where alcohol is provided.

Violation of this policy on Skidmore College owned or controlled property, including the use of College-owned or -controlled motor vehicles, will result in College sanctions appropriate to the situation and will not protect employees or students from arrest or prosecution by civil authorities for illegal involvement with drugs or alcohol.

AOD: Responsible Student Policy

The purpose of the Responsible Student Policy is to minimize barriers and to encourage students to seek help whenever there is an alcohol or other drug (AOD) related emergency. The College aims to provide caring, supportive interventions in response to such incidents.

THE POLICY APPLIES WHEN:

- A student requests medical assistance for oneself
- A student requests medical assistance for another student

WHEN TO CALL

Students should call Campus Safety (518-580-5566) for help if they notice or experience any of the following:

- Irregular breathing
- Passing out
- Seizures
- Confusion
- Vomiting
- Cold, clammy, pale skin

WHAT WILL HAPPEN

Campus Safety will immediately dispatch Skidmore College Emergency Medical Services (SCEMS) and/or local emergency medical responders. An evaluation of the student will be conducted and, if further medical assistance is deemed necessary, the College will require the student to be transported to Saratoga Hospital.

FOLLOW UP AFTER THE INCIDENT

The student who required medical assistance will meet with the Office of Student Conduct and Conflict Resolution (SCCR) to discuss the situation.

- The student will be exempt from receiving points and the educational fee will be waived
- An appropriate intervention will be given that aims to promote safety and foster responsible decision-making through education, awareness and support
- A guardian may be notified with the goal of increasing support for the student

Although there is typically no follow-up for a student who requests help for someone else, a meeting with the Office of Student Conduct and Conflict Resolution may occur if additional information about the situation is needed or if there is concern about another Code of Conduct violation. A student will never be penalized for calling for help for another student.

REPEATED INCIDENTS

Consistent with putting the student's health and wellness first, the College will approach repeated incidents as a serious health risk. If there are subsequent incidents, amnesty is at the discretion of the Conduct Office and/or the Dean of Students/Vice President for Student Affairs.

Alcohol And Other Drugs (AOD) Policy Sanctions

Behavior	1st Offense**	2nd Offense**	3rd Offense**
Underage possession/consumption of alcohol, alcohol paraphernalia, possession in residence hall Possession or use of marijuana or drug paraphernalia (less than 2 ounces)	AOD education Educational fee, \$30 2 points	AOD education Educational fee, \$30 3 points	AOD education/ assessment Educational fee, \$30 4 points
Alcohol possession/consumption posing a substantial risk to the health and well-being of self and/or others, disorderly conduct due to intoxication, public intoxication Social host violation (hosting an unauthorized event with alcohol, supplying alcohol to minors, disturbing community due to event)	AOD education Educational fee, \$30 3 points	AOD education/ assessment Educational fee, \$30 4 points	AOD education/ assessment Suspension from on-campus housing Educational fee, \$30 5 points
Possession of criminal amount of marijuana (more than 2 ounces)	Police Notification* AOD education/ assessment Educational fee, \$30 4 points	Police Notification* AOD assessment Suspension from on-campus housing Educational fee, \$30 5 points	Integrity Board Hearing Police Notification* 6 points
Possession or use of any illegal substance (e.g. cocaine, MDMA) or the use of any substance in a way that was not intended for the purpose of altering mood, perception and/or performance without medical advice	AOD education/ assessment Educational fee, \$30 5 points	Integrity Board Hearing Police Notification* 6 points	Integrity Board Hearing Police Notification* 7 points
DUI/DWI Production or sale of any illegal substances, e.g. marijuana, stimulants, and prescription drugs, etc.	Integrity Board Hearing Police Notification* 6 points	Integrity Board Hearing Police Notification* 7 points	Integrity Board Hearing Police Notification* 8 points

* The decision to contact police will be made by the Dean of Students and Vice President for Student Affairs

** A guardian may be notified with the goal of increasing support for the student. This will be discussed with the student during a meeting with the Office of Student Conduct and Conflict Resolution.

Hazing Policy

Preface: Skidmore College has had few reported incidents of hazing over the last few years; however, the Institutional Policy and Planning Committee (IPPC) Subcommittee on Student Affairs felt it was necessary to re-evaluate our current policy and create one that is more complete and holistic. The following policy is a greater articulation of how Skidmore College defines hazing in its entirety. The policy specifically highlights aspects of hazing such as ‘Passive Participation,’ ‘Subtle Hazing,’ ‘Consent,’ which we deem to be facets of hazing that are not touched upon as frequently as the facets of hazing we have defined as ‘Harassment Hazing’ or ‘Violent Hazing.’

The Skidmore College Hazing Policy:

*In this policy, a member of the Skidmore community is defined as any Skidmore student, staff, faculty, administrator, or a visitor accompanying any of the previously mentioned entities. *

Skidmore College defines hazing as any act committed by a person, whether individually or as a part of a group, against a member of the Skidmore community and which is intended to have the effect of, or reasonably be expected to have the effect of, humiliating, intimidating, demeaning a community member, or endangering the mental or physical health of a community member. Acts of hazing may involve: being initiated into, affiliated with, participating in, and/or maintaining membership in any organization, club, group, department, and/or team affiliated with Skidmore College.

Skidmore’s definition of hazing encompasses all acts of soliciting, directing, aiding, or otherwise participating actively or passively in any of the above acts regardless of intention or willingness to participate. Skidmore prohibits all hazing activities whether conducted on or off College property.

Every organization, club, group, department, and/or team can provide transformative opportunities for friendship, leadership, personal growth, and discovery. Hazing of any kind is *antithetical* to these goals; therefore, the College prohibits hazing activities, whether by an individual or an organization. Skidmore College is committed to providing a learning, working, and living environment that reflects and promotes personal integrity, civility, and mutual respect. Members of the Skidmore community have the right to be free from all forms of abuse, harassment, and coercive conduct, including hazing.

The organization, club, group, department, and/or team may be held accountable for actions of individual members.

Consent

Because of the socially coercive nature of hazing, implied or expressed consent to hazing is not a defense under this policy. Offering anyone an opportunity not to take part in an act that is or becomes hazing is not a valid defense of conduct.

Passive participation is defined as, but not limited to: witnessing hazing taking place as a group member, affiliate, or guest, or participating in or being present in person or via technology in discussions where hazing is being planned.

Hazing Categories

Subtle Hazing, Harassment Hazing, and Violent Hazing are outlined in this document to guide the respective Skidmore College conduct boards throughout their processes. The definitions of the three forms of hazing are intended to be fluid, and it is the responsibility of the conduct boards to evaluate alleged acts of hazing, but not necessarily to delineate the specific form of hazing.

Subtle Hazing is defined as behavior that emphasizes a systematic power imbalance between new members and other members of the organization, club, group, department, and/or team. These types of hazing are often taken for granted or accepted as “harmless” or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group (some types of subtle hazing may also be considered harassment hazing). Examples include, but are not limited to: deception, assigning demerits, silence periods with implied threats for violation, deprivation of privileges granted to other members, requiring new members/rookies to perform duties not assigned to other members, socially isolating new members/rookies, line-ups and drills/tests on meaningless information, name calling, requiring new members/rookies to refer to members with titles (e.g. “Mr.” “Miss”) while they are identified with demeaning terms, or expecting certain items to always be in one’s possession.

Harassment Hazing is defined as behavior that causes emotional anguish or physical discomfort in order to feel like part of the group. Harassment hazing may confuse, frustrate, and cause undue stress for new members/rookies (some types of harassment hazing can also be considered violent hazing). Examples include, but are not limited to: verbal abuse, implied threats of violence, requiring new members/rookies to wear embarrassing or humiliating attire, expecting new members/rookies to provide personal services to members (e.g. cooking, cleaning, carrying books, errands, etc.), sleep deprivations, sexual simulations, expecting new members/rookies to be deprived of maintaining a schedule of bodily cleanliness, being expected to harass others.

Violent Hazing is defined as behavior that has the potential to cause physical, emotional, and/or psychological harm. Examples include, but are not limited to: forced or coerced drug or alcohol consumption, beating, paddling, and other forms of assault, branding, forced or coerced consumption of vile concoctions or substances, burning, water intoxication, expecting abuse or mistreatment of animals, sexual acts, nudity, expecting illegal activity, bondage, abductions/kidnappings, exposure to cold weather or heat without appropriate protection.

Reporting Hazing

Activities believed to be hazing should be reported to the Dean of Students/Vice President for Student Affairs, Director of Athletics (when relevant), the appropriate department or program chair or, in the case of student organizations and clubs, the Student Government Association Executive Committee. Hazing may also be reported anonymously on the Skidmore TIPS Hotline 580-TIPS (8477).

The current student conduct process is outlined in this handbook and those found in violation of this, or any Skidmore College policy, may be subject to that conduct process and the local, state, and federal criminal codes.

SGA clubs and officers may also be subject to the SGA Executive Board conduct process.

Appendix

New York State Penal Codes state*

S 120.16 Hazing in the first degree.

A person is guilty of hazing in the first degree when, in the course of another person’s initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which

creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the first degree is a Class A misdemeanor.

S 120.17 Hazing in the second degree.

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person.

Hazing in the second degree is a violation.

*Although these Penal Codes use traditional male pronouns, any member of the Skidmore Community, regardless of gender expression, is subject to these codes.

Fire Safety Policy

All residents are responsible for adhering to the Skidmore College Fire Safety Policy and New York State law. Students are expected to follow the policy, not be in possession of prohibited items, and be aware of the possible sanctions for violations. Residents are responsible for attending and participating in a Safety Orientation for Students (SOS) meeting during the academic year as well as all fire drills for which they are present. All residence halls and apartments are subject to periodic fire and safety inspections, and students are expected to cooperate in removing any found violations when requested by the administration. The College may require personal furniture or furnishings to be removed from any residence when it determines the situation to be a fire, safety, or health hazard.

Policy Items

1. Building evacuation is required when a fire alarm sounds, unless previous notice was provided by a College administrator indicating that the alarm is going to be tested and evacuation is not necessary.
2. Damage, misuse, or theft of fire alarm systems and firefighting equipment is a violation of the law and is prohibited.
3. Students are prohibited from covering or attaching anything to fire safety equipment in their residence, including sprinklers, smoke detectors, heat detectors, etc.
4. Smoking inside of all buildings and residences on campus is prohibited.
5. Food preparation is permitted in apartment kitchens only. The cooking of food and the use of electrical appliances are prohibited in student rooms. (Kuerig and similarly-styled coffee makers are permitted for use in student rooms)
6. Wall décor in all residence hall or apartment spaces must not cover an excessive amount of each individual wall. Tapestries and other cloth wall hangings are prohibited. Only two strings of lighting may be connected together as one. Décor cannot attach to ceilings or connect one wall to another.
7. Covering a light or other heat emitting device with item not intended to be used as a cover (ex: cloth over light) is prohibited.
8. The partition or division of residence hall or apartment space, including tapestries/curtain separating window seat area from rest of room, is prohibited.

Prohibited Items

1. Firecrackers, gasoline, propane tanks (including camping equipment), or other highly combustible items
2. Halogen lamps
3. Candles and incense (used and unused)
4. Space heaters (not provided by the College)
5. In Residence Halls: electrical cooking appliances (toaster ovens, microwave ovens, heating coils, George Foreman grills, rice cookers, and other cooking/heating devices with exposed heating surface/element)
6. Bed risers, cinderblocks, and lofted furniture of any kind
7. Tapestries and other cloth wall hangings
8. Extension cords
 - a) Surge protectors are acceptable but must meet the following regulations
 - Corded with a maximum cord length of 6 feet
 - Provide 600 or more joules of protection
 - UL 1449 compliant
 - Maximum of six outlets
 - Independent on/off circuit breaker

Low Level Violations

- Attaching items to the sprinkler system in an apartment or residence hall room
- Connecting more than two strings of lights together in a residence hall or apartment space
- Improper covering of light or other heat-emitting device.
- Presence of prohibited items including ashtrays, bed risers, candles, electrical cooking appliances (Res Halls), extension cords, incense, halogen lamps, multi-outlet electrical adaptors, non-college provided space heaters and tapestries and other cloth wall hangings.
- Presence of wall décor that spans the entire length or height of a wall
- Attaching items to the ceiling of any College residential facility
- Blocked egress through any door, window, or window seat (e.g. tapestries, beads, furniture, rugs, etc. blocking access)
- Use of room partitions or dividers of any kind
- Use of electrical appliances (toaster ovens, microwave ovens, heating coils, George Foreman grills, rice cookers, and other cooking/heating devices with exposed heating surface/element) outside of a kitchen in an apartment
- Use of bed risers, cinderblocks, or lofted furniture of any kind
- Use of damage electrical cords (cords with exposed wiring or otherwise damaged sheath covering)

1 st Offense	2 nd Offense	3 rd Offense
<ul style="list-style-type: none"> ▪ Formal Letter of warning from College Official ▪ Removal of violation by student or College Official (if applicable)* ▪ Restitution to the College for any damages resultant from the violation 	<ul style="list-style-type: none"> ▪ Meeting with College Administrator ▪ Removal of violation by student or College Official (if applicable)* ▪ Restitution to the College for any damages resultant from the violation 	<ul style="list-style-type: none"> ▪ Recommendation to the Director of Residential Life for removal from Residence for remainder of current academic year ▪ Referral to Student Conduct: Sanctions may include suspension, or dismissal from college ▪ Restitution to the College for any damages resultant from the violation

Mid-Level Violations

- Covering or attaching items to fire safety equipment in an apartment or residence hall room, including but not limited to, smoke detectors and heat detectors
- Failure to evacuate when a fire alarm sounds
- Presence of firecrackers, gasoline, propane tanks, or other highly combustible items
- Presence of unattended lit candles and incense
- Smoking of any substance inside any building or residence hall on campus (includes the evidence of smoking, including but not limited to, ash and/or butts in the window)

1 st Offense	2 nd Offense
<ul style="list-style-type: none"> ▪ Meeting with College Administrator ▪ Removal of violation by student or College Official (if applicable)* ▪ Restitution to the College for any damages resultant from the violation 	<ul style="list-style-type: none"> ▪ Recommendation to the Director of Residential Life for removal from Residence for remainder of current academic year ▪ Referral to Student Conduct: Sanctions may include suspension, or dismissal from college ▪ Restitution to the College for any damages resultant from the violation

High Level Violations

- Falsely reporting a fire by pulling the fire alarm or contacting emergency personnel
- Damage, misuse, or theft of fire alarm systems and firefighting equipment (i.e. unwarranted discharging of fire extinguisher)
- Intentional setting fire and/or burning any object and/or place not intended to be burnt.
- Negligent behavior resulting in a fire

1st Offense

- Recommendation to the Director of Residential Life for removal from Residence for remainder of current academic year
- **Referral to Student Conduct:** Sanctions may include suspension, or dismissal from college
- **Restitution to the College for any damages resultant from the violation**

Notes

Unlisted sanctions: Other sanctions may also be levied as a response to violations. Violations that rise to the level of criminal behavior (i.e. pulling a false alarm is a felony) are subject to be reported to the police.

Fines: Skidmore College does not impose fine as part of the Fire Safety policy. However, the City of Saratoga Springs and/or the New York State Office of Fire Prevention and Control may assign fines to the College due to violations, including false (negligent) fire alarms as per state and local laws and ordinances. If this occurs, students may be responsible for the cost of the fine if it resulted from negligent fire safety.

Return after a housing removal: If a student returns to on-campus housing after being removed due to violations of the Fire Safety policy any further violations of this policy will result from permanent removal from on-campus housing for the remainder of the student's studies at Skidmore College.

Multiple violations of differing levels: Sanctions for students found to be in violation of multiple violations of differing levels will be decided at the discretion of the Director of Residential Life.

*College officials may include, but are not limited to, student and professional Residential Life staff members, Campus Safety, Facilities personnel, and/or Student Conduct and Conflict Resolution staff.

Sexual and Gender-Based Misconduct Policy

I. Notice of Non-Discrimination

This policy addresses all forms of sexual and gender-based discrimination, including sexual assault and harassment. Skidmore College does not discriminate on the basis of sex in its educational, co-curricular, athletic, or other programs or in the context of admissions or employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Skidmore College, as an educational community, will promptly and equitably respond to all reports of sexual and gender-based misconduct in order to eliminate the misconduct, prevent its recurrence, and address its effects on any individual or the community.

Inquiries or complaints about the application of Title IX may be directed to the College's Title IX Coordinator or Deputy Coordinator and/or to the U.S. Department of Education's Office for Civil Rights.

Skidmore College's Title IX Coordinator oversees compliance with all aspects of the Sexual and Gender-Based Misconduct policy. The Title IX Coordinator reports directly to the President of the College. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment should report to the appropriate individuals, listed below.

On-Campus

Sarah Delaney Vero
Interim Title IX Coordinator
815 North Broadway
Saratoga Springs, NY 12866
518-580-5708
svero@skidmore.edu

Complaints Involving Students as Accused

Mariel L. Martin
Associate Dean of Student Affairs Campus Life and Engagement
Title IX Deputy Coordinator
Case Center 310
815 North Broadway Saratoga Springs, NY 12866
518-580-8212
mariel@skidmore.edu

Complaints Involving Staff or Faculty as Accused

Barbara Beck, Director of Human Resources
Barrett Center
815 North Broadway
Saratoga Springs, NY 12866

518-580-5800

Off Campus

Office of Civil Rights

New York Office for Civil Rights

U.S. Department of Education

32 Old Slip, 26th Floor

New York, NY 10005-2500

Telephone: 646-428-3900

FAX: 646-428-3843

TDD: 800-877-8339

Email: OCR.NewYork@ed.gov

Anonymous Reporting

Additionally, anonymous reports can be made using the online reporting form, found here:

https://publicdocs.maxient.com/reportingform.php?SkidmoreCollege&layout_id=3

II. Skidmore College Statement of Sexual Values

Skidmore College is committed to providing a learning, working, and living environment that reflects and promotes personal integrity, civility, and mutual respect. Members of the Skidmore community have the right to be free from all forms of abuse, assault, harassment, and coercive conduct, including sexual and gender-based misconduct, as defined in this policy. Skidmore College considers sexual and gender-based misconduct to be one of the most serious violations of the values and standards of the College.

Unwelcome sexual contact of any form is a violation of students' personal integrity and their right to a safe environment and therefore violates Skidmore's values. Skidmore College will not tolerate sexual or gender-based misconduct in any form. Sexual and gender-based misconduct is also prohibited by federal regulations. In accordance with Title IX, Skidmore College does not discriminate on the basis of sex in any of its programs and activities.

Skidmore recognizes that part of students' development at the College may include learning and understanding themselves as sexual individuals. Skidmore also respects and upholds the principle that not all students choose to explore their sexual nature or sexuality.

Skidmore therefore aims to provide an environment that is comfortable and respectful for all students and their choices regarding sex and their sexuality. Understanding and applying this policy to the behavior and behavioral expectations of all members of the community helps to ensure Skidmore's goal of being a safe, open community regarding sexuality. Failure to comply with this policy may result in a complaint of sexual and gender-based misconduct.

Skidmore College strives to promote an environment where mutual respect, communication, cultural competency, understanding, and awareness are the basis for any sexual behavior or activity. Mutual respect and communication are keys to maintaining each student's personal integrity when engaging in sexual behavior.

Community Expectations

- *Mutual Respect:* Treat others as they would like to be treated. In sexual relations this includes respecting your partner (their desires, boundaries, and body) and having open communication with the person(s) with whom you are engaging in sexual contact so that all those involved are comfortable with the activity that may occur and understand the boundaries and needs of those involved.
- *Communication:* Open communication and listening includes understanding one's own needs and desires, discussing these needs and desires with your partner(s), and, in general, creating open communication within the relationship, whether it is for a brief encounter or a longer commitment. Verbal communication in sexual situations is almost always the clearest means to communicate. The College encourages students who choose to engage in sexual behavior to talk with each other clearly about what they want, or do not want, from sex prior to engaging in sexual activity. An environment based on open communication and listening promotes *affirmative consent*, which Skidmore College considers integral to any responsible sexual relationship.
- *Cultural Awareness and Respect:* The Skidmore College community is a multicultural educational environment where the customs and values of each individual are respected. Although the College's standards regarding behavioral expectations and guidelines apply to all individuals, each person should recognize and respect the variations in the cultural expectations of others and demonstrate civility while engaging in open communication regarding sexual desires and boundaries.

III. Scope of this Policy

All members of the Skidmore College community have an obligation to act responsibly in the realm of sexuality, gender, and relationships; to recognize and challenge any sexual and gender-based misconduct; and to adhere to College policies and local, state, and federal law. This policy applies to conduct occurring on Skidmore College property or at College-sanctioned events or programs that take place off campus, including study abroad and internship programs. This policy also applies to off-campus conduct that is likely to have a substantial adverse effect on any member of the Skidmore College community or Skidmore College.

This policy informs the Skidmore community of our values and outlines violations involving sexual and gender-based misconduct. This policy identifies an individual's rights, options, and resources, and describes actions individuals may take if they experience an incident of sexual and gender-based misconduct, or are accused of sexual and gender-based misconduct.

Sexual and gender-based misconduct can be committed by any member of the Skidmore College community, including students, staff, and faculty. The College has jurisdiction to take disciplinary action against a Responding Individual who is a current student or employee. There are specific policies and procedures for resolving a report of sexual or gender-based misconduct against a student, staff, or faculty Responding Individual:

- Complaints against a student will be resolved by the procedures set forth in this policy.
 - As long as the College has jurisdiction over the Responding Student, there is no time limit to invoking this policy in cases of alleged sexual and gender-based misconduct. Nevertheless, persons are encouraged to report alleged sexual or gender-based misconduct as soon as possible in order to maximize the College's ability to respond promptly and effectively.
 - Complaints that relate to conduct that occurred during a past academic year will be evaluated for a policy violation using the standards and definitions under the policy that was in place at the time the incident allegedly occurred, and the allegations of the complaint will be investigated and adjudicated using the procedures in the policy that is in effect at the time the complaint is made. The policies and procedures are updated regularly to comply with federal and state law.
- Complaints against a staff member will be resolved by the College policy governing staff and related grievance procedures, which can be found in the Equal Employment Opportunity, Diversity, and Anti-Harassment: [Policies and Procedures for Exempt and Nonexempt Employees](#) (includes members of unions).
- Complaints against a member of the faculty will be resolved by the College policy governing faculty and related grievance procedures, which can be found in the Equal Employment Opportunity, Diversity, and Anti-Harassment: [Policies and Procedures for Faculty in Part Six of the Faculty Handbook](#).
- Complaints against a third party/individual not affiliated with Skidmore College may not be able to be resolved through the College process. The College's ability to take appropriate corrective action against a third party will be determined by the nature of the relationship between the third party and the College. Regardless, all support resources and interim measures are still available to the Reporting Individual and every effort will be made to assist the

Reporting Individual in filing a complaint against the Responding Person through the appropriate channels (ie. police, current workplace, current institution they attend, etc.

IV. Statement of Privacy and Confidentiality

All College employees (faculty, staff, administrator), with the exception of the Counseling Center and Health Services – who are confidential sources and Victim Advocates who can protect anonymity – are expected to immediately report actual or suspected discrimination, harassment, or sexual and gender-based misconduct to appropriate officials.

Skidmore College is committed to protecting the privacy of all individuals involved in a report under this policy. Skidmore also is committed to providing assistance to help Reporting Individuals make informed choices. With any report under this policy, Skidmore will make reasonable efforts to protect the privacy interests of the individuals involved in a manner consistent with the need for a careful assessment of the allegation and reasonable steps available to eliminate the reported conduct, prevent its recurrence, and address its effects.

Privacy and confidentiality have distinct meanings under this policy.

Privacy: Privacy generally means that information related to a report of misconduct will be shared with a limited circle of individuals who “need to know” in order to assist in the active review, investigation, resolution of the report, and related issues. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. Even Skidmore offices and employees who cannot guarantee confidentiality will maintain reporting individuals’ privacy to the greatest extent possible. The information provided to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator or designee to investigate and/or seek a resolution.

Confidentiality: Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual, or as otherwise permitted by law. Those campus and community professionals include medical providers, mental health providers, and ordained clergy, all of whom normally have privileged confidentiality that is recognized by the law. These individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order. While not confidential, Skidmore has also designated Victim Advocates who can protect the anonymity of reporting individuals.

Non-confidential/Not Private: Any other College employee who is not designated as a confidential resource under this policy is required to share a report of sexual and gender-based misconduct with the Title IX Coordinator or designee. The Title IX Coordinator or designee will conduct an initial assessment of the conduct, the Reporting Individual’s desired course of action, and the necessity for any interim remedies or accommodations to protect the safety of the Reporting Individual or the community. The goal is to eliminate any hostile environment.

All College proceedings are conducted in compliance with the requirements of the [Family Educational Rights and Privacy Act \(FERPA\)](#), the [Clery Act](#), [Title IX](#), [Violence Against Women Act \(VAWA\)](#), other state and local laws, and College policy. No information shall be released from such proceedings except as required or permitted by law and College policy.

V. Terminology

Reporting Individual: A Reporting Individual is usually an individual filing a complaint of a violation of the Skidmore College Sexual and Gender-Based Misconduct policy. In some cases (e.g., cases in which a person involved in an incident of alleged sexual and/or gender-based misconduct does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated), Skidmore College may serve as the Reporting Individual. In these cases, the College may extend the full rights of the Reporting Individual as defined in this policy to affected parties as deemed appropriate by the Title IX Deputy Coordinator.

Responding Student: A Responding Student is a student alleged to have violated the Skidmore College Sexual and Gender-Based Misconduct Policy.

Victim Advocate: As part of their positions at Skidmore College, these individuals work to support and assist victims of sexual and gender-based misconduct. Students who have experienced sexual and gender-based misconduct can seek help from Victim Advocates knowing that those staff members will not report identifying details about the incident. This status is not legally protected in the same way that disclosures to mental health, health care providers, or college chaplains are.

Trained Sexual and Gender-Based Misconduct Advisor (SGBM Advisor): The SGBM Advisor is a Skidmore Community staff or faculty member appointed by the Dean of Students and Vice President for Student Affairs who is trained to support the Reporting Individual or Responding Student. A current list of trained SGBM Advisors is maintained online at: <http://www.skidmore.edu/sgbm/contacts.php>

Advisor of Choice: Both the Reporting Individual and Responding Student may elect to be accompanied by an advisor of their choosing to any meetings, conferences, and interviews. The advisor's role is limited to observing and consulting with, and providing support to, the Reporting Individual or Responding Student; an advisor may not speak on behalf of the Reporting Individual or Responding Student. The Reporting Individual and Responding Student have the right to consult with an attorney at their own expense. Attorneys may be present at any meetings, including the Adjudication Panel, when applicable; however, attorneys may not take part directly in the panel review itself and may only serve in an advisory capacity.

Witness: A person or bystander who observes a crime, impending crime, conflict, potentially violent behavior, or conduct that is in violation of the Skidmore College Sexual and Gender-Based Misconduct Policy. Witnesses must have observed the conduct in question or have information directly relevant to the incident (i.e. first told, etc.) and cannot be called solely to speak about an individual's character.

Investigator: The individual(s) charged with investigating a complaint of sexual or gender-based misconduct. The Investigator(s) will typically be members of Campus Safety, the Title IX Deputy Coordinator, and/or members of the Office of Student Conduct. Investigators attend, at a minimum, annual Title IX investigator training.

Conduct Administrator (CA): The Associate Dean of Student Affairs for Campus Life and Engagement or designee from the Office of Student Conduct and Conflict Resolution who oversees the adjudication process. The CA cannot be an individual who served in the capacity of investigator for the complaint and is not a decision maker in the adjudication process.

Sexual and Gender-Based Misconduct Adjudication Panel: The decision about whether there has been a violation of the Skidmore College Sexual and Gender-Based Misconduct Policy will be made by a panel of three faculty and/or staff members. The Panel will be drawn from a pool of staff and faculty who receive specific training regarding the dynamics of sexual and gender-based misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the College's policies and procedures. The Reporting Individual and Responding Student will have the opportunity to state whether there are those they feel should not participate in the panel review due to bias or any other reason that would prevent them from making a fair assessment of the information. The final decision on any such requests for recusal will be made by the Conduct Administrator.

VI. Student Bill of Rights

Under the Sexual and Gender-Based Misconduct Policy, all students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the Reporting Individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the Responding Student, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Reporting Individual, accused, or Responding Student throughout the conduct process including during all meetings and panels related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of the institution.

VII. Prohibited Conduct

Sexual and gender-based misconduct is a broad term encompassing any sexual behavior or gender-based misconduct that was committed without affirmative consent. Sexual and gender-based misconduct may vary in its severity and consists of a range of behaviors. The following descriptions represent sexual behaviors and gender-based misconduct that violate Skidmore's community standards and values of respect, civility, and personal integrity. These behaviors are serious violations and represent a threat to the safety of the Skidmore Community.

Because SGBM often involves multiple violations of affirmative consent, it is the policy of Skidmore College to hold individuals accountable for all acts that violate this policy. This practice can mean that multiple violations of the SGBM policy are possible within a single incident.

1. Sexual Harassment

Sexual harassment is defined as unwelcome action, language or visual representation of a sexual nature that has the effect of unreasonably interfering with an individual's work or academic performance or that creates a hostile working, educational, or living environment.

A form of sexual harassment (quid pro quo) exists when employment or academic benefits are offered in exchange for submission to unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. Quid pro quo sexual harassment also exists in those instances when rejection of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature results in adverse educational or employment action, or the threat of such adverse action, or limits or denies an individual's educational or employment access, benefits, or opportunities.

A second form of sexual harassment (hostile work environment) exists when an individual is subjected to unwelcome discriminatory conduct because of his/her sex or gender that is either severe or pervasive, alters the work or educational conditions of the individual, and creates an abusive environment.

Sexual harassment:

- may be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated;
- does NOT have to include intent to harm or involve repeated incidents;
- may be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context;
- may be committed by a stranger, an acquaintance, or someone with whom the individual has an intimate or sexual relationship;
- may be committed by or against an individual or may be a result of the actions of an organization or group;
- may occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation;
- may occur in the classroom, in the workplace, in residential settings, or in any other setting;
- may be a one-time event or can be part of a pattern of behavior;
- may be committed in the presence of others or when the parties are alone;
- may affect the subject of the harassment and/or third parties who witness or observe harassment and are affected by it.

Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal or physical aggression or hostility based on gender, sexuality or sex- or gender-stereotyping, even if those acts do not involve conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment include:

Physical conduct:

- unwelcome touching, sexual/physical assault, impeding, restraining or blocking movements
- unwanted sexual advances

Verbal conduct:

- making or using derogatory comments, epithets, slurs or humor, not pedagogically appropriate
- verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations, not pedagogically appropriate
- objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes, which a reasonable peer would find offensive and which are not pedagogically appropriate

Visual conduct:

- leering, making sexual gestures, displaying of suggestive objects or pictures, cartoon or posters in a public space or forum, not pedagogically appropriate
- severe, persistent or pervasive visual displays of suggestive, erotic or degrading sexually oriented images, not pedagogically appropriate

Written conduct:

- letters, notes or electronic communications containing comments, words or images described above, not pedagogically appropriate

Quid pro quo conduct:

- offering employment benefits in exchange for sexual favors
- making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
- making or threatening reprisals after a negative response to sexual advances.

The determination of whether an environment is "hostile" is based on a reasonable person standard, considering all the circumstances. These circumstances could include, but are not limited to:

- the frequency or pervasiveness of the speech or conduct;
- the nature and severity of the speech or conduct;
- whether the conduct was physically threatening;
- whether the speech or conduct was humiliating;
- the effect of the speech or conduct on the recipient's mental and/or emotional state;
- whether the speech or conduct was directed at more than one person;
- whether the speech or conduct arose in the context of other discriminatory conduct;
- whether the speech or conduct unreasonably interfered with the recipient's educational opportunities or performance (including study abroad), college-controlled living environment, work opportunities or performance;

- whether a statement is a mere utterance of an epithet which engenders offense in an employee or a student or offends by mere discourtesy or rudeness; and/or
- whether the speech or conduct deserves the protections of academic freedom.

2. Sexual Assault

Any nonconsensual sexual act prohibited by federal, tribal, or New York State law, including when the victim lacks capacity to affirmatively consent. Sexual assault includes, but is not limited to, sexual penetration and sexual touching, disrobing and/or exposure as defined below:

- **Sexual Penetration**

Any sexual penetration (anal, oral, or vaginal), however slight, with any object or sexual intercourse, *without affirmative consent*. Sexual penetration includes vaginal or anal penetration by a penis, object, tongue, or finger and oral copulation by mouth to genital contact or genital to mouth contact.

- **Sexual Touching, Disrobing and/or Exposure**

Any intentional sexual touching, however slight, with any object *without affirmative consent*. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another or any other bodily contact in a sexual manner. Any disrobing of another or exposure to another by another without affirmative consent.

3. Sexual Exploitation

Sexual exploitation occurs when a student takes non-consensual or abusive advantage of another for their own advantage or benefit or from the advantage or benefit of anyone else. Examples of sexual exploitation include, but are not limited to: non-consensual recording (by any means) of sexual activity or nudity without the knowledge and fully informed consent of all parties involved, and voyeurism.

- **Voyeurism** is a form of sexual exploitation in which one individual engages in secretive observation of another for personal sexual pleasure or engages in non-consensual video or audio taping of sexual acts. Although the subject of the secretive viewing or taping may be unaware of the observation, this behavior is a form of sexual misconduct and violates the integrity of the unaware student.

4. Intimate-Partner Violence

Also referred to as dating violence, domestic violence, and relationship violence, intimate-partner violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person. It may involve one act or an ongoing pattern of behavior.

Intimate-partner violence can encompass a broad range of behavior, including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. Intimate-partner violence may take the form of threats, assault, property damage, or violence or threat of violence to one's self, one's sexual or romantic partner, or to the family members or friends of the sexual or romantic partner. Intimate-partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientations, and does not discriminate by racial, social, or economic background.

- *Emotional Abuse*: Emotional Abuse can include, but is not limited to, acts of coercion, threat, intimidation, isolation or other forms of behaviors and communications which, taken together, systematically control, manipulate and/or exploit the other by undermining their

confidence, identity, dignity, self-worth, capacity to grow, trust, and/or their emotional stability.

- *Domestic Violence* includes, but is not limited to, felony or misdemeanor crimes of violence committed by the victim's current or former spouse or intimate partner, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of New York, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of New York.
- *Dating Violence*: Dating violence means violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Whether there was such relationship will be determined by the length of the relationship, the type of the relationship, and frequency of interaction between the persons involved in the relationship.
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include act covered under the definition of domestic violence.

Individuals who are victims of Domestic Violence in New York may seek a civil Order of Protection through Family Court. Criminal Orders of Protection may be issued if criminal charges are filed and an arrest is made. For more information, refer to Section 9 of this policy and/or see the [New York State Law](#).

5. Stalking

Stalking is defined as a course of conduct directed at a specific person or persons that would cause a reasonable individual to fear for their own or someone else's safety and/or to suffer substantial emotional distress. Stalking has occurred when any person engages in two or more separate acts that involve unwanted attention and/or contact. Examples include, but are not limited to, acts such as: repeated and unwanted phone calls, texts or emails, following or watching from a distance, spying on an individuals' contacts, schedule or personally identifying or locating information, and/or damaging or threatening to damage personal property, pets, or any person.

Stalking includes the concept of cyber-stalking, which is a form of stalking utilizing any type of electronic or social media to pursue, harass, threaten or make unwelcome contact with another person.

6. Attempted Act

Attempts to commit sexual or gender-based misconduct are also prohibited under this policy, as is aiding the commission of sexual misconduct as an accomplice.

7. Retaliation

Retaliation is any act or attempted act which would discourage a reasonable person from engaging in any activity protected under this policy such as reporting SGBM, seeking services, receiving protective measures and accommodations, and/or participating in an investigation or SGBM resolution process.

All individuals and groups who are members of the Skidmore community are prohibited from engaging in retaliation. Retaliation can take many forms, such as threats, intimidation, pressuring, continued abuse, violence or other forms of harm towards others. It can occur in various modes, including in person and

through electronic communication. Retaliation includes maliciously and purposefully interfering with, threatening or damaging the academic or professional career and/or reputation of any individual involved in the reporting, investigation, and resolution of SGBM under this policy.

Individuals who provide information about SGBM in good faith, even if that information is later determined to not be accurate, are not engaging in retaliation.

- Threat: Written or verbal conduct that causes reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.
- Intimidation: Express or implied acts that cause a reasonable fear of injury to the physical or emotional health or safety of any person or damage to any property.

Note on other Code of Social Conduct Violations

If deemed appropriate by the Title IX Deputy Coordinator, Investigators, and/or Conduct Administrator, the Responding Student may be charged with other Code of Social Conduct violations as outlined in the Student Handbook. The Responding Student will be notified of any additional charges before moving to the Adjudication Phase of the process and will have an opportunity to submit information regarding all possible violations prior to the Adjudication Phase.

A: Policy Expectations with Respect to Consensual Relationships

As an educational community, Skidmore College stands by principles of fairness, equal opportunity, and non-discrimination. These principles take on special meaning in the relationship between students and members of the faculty, staff, or others in an advising or evaluative relationship. Specifically, all students have the right to be treated fairly, held to the same requirements and standards, and afforded equal opportunities based on their individual accomplishments. All employees are expected to maintain professional relationships with all College students; to act in accordance with standards of professional conduct; and to avoid conflict of interest, favoritism, bias, or creation of a hostile environment for any student of the College.

Sexual relationships between faculty and staff members and students are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the actual or apparent authority of the professor, make voluntary consent by the student suspect. Even when both parties have in fact consented, the development of a sexual relationship renders both the faculty member and the College vulnerable to subsequent allegations of harassment.

1. Policy on Consensual Sexual Relationships with Current Students

Sexual relationships, whether consensual or not, between College employees and their students (those whom they currently teach, advise, supervise, coach, evaluate, or hold authority over in any way) violate the integrity of the College's educational community and constitute grounds for disciplinary action up to and including separation from the College.

2. Policy on Consensual Sexual Relationships with Students When There Is No Formal Authority over the Student

Even if a College employee does not currently hold a position of authority over a student, any sexual relationship between an employee and a student of the College potentially jeopardizes the integrity of the academic or living environment of the Skidmore community. The College, therefore, discourages in the strongest possible terms any sexual relationship between an employee and any student of the College. In the event that any such relationship is found to

undermine the trust, respect, and fairness that are essential to the success of Skidmore's educational mission, the College will take appropriate disciplinary action, up to and including separation from the College.

B: Affirmative Consent

Affirmative consent is the basis of this policy because affirmative consent maintains the value that all persons have the right to feel respected, acknowledged, and safe during sexual activity. Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent can be communicated verbally or by action(s). In whatever way consent is communicated, it must be mutually understandable.
- Consent is mutually understandable when a reasonable person would consider the words and/or actions that you and your partner(s) have expressed to demonstrate a desire to do the same thing, at the same time, in the same way, with one another.
- In the absence of mutually understandable words or actions, the initiators of sexual contact are responsible for making sure they have obtained affirmative consent from their partner(s). The initiators must fully understand what their partner(s) wants and does not want sexually.
- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Each new sexual act requires new consent. Affirmative consent has time boundaries.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- The existence of a dating/romantic relationship between the persons involved or the fact of a previous sexual relationship does not automatically establish affirmative consent for future sexual activity.
- Consent is not the absence of resistance.
- Silence is an inactive behavior, and affirmative consent is an active behavior. Therefore, silence alone (absent a non-verbal action clearly demonstrating consent) is not considered affirmative consent. Silent and inactive behavior may indicate that something is wrong and the potential for sexual misconduct exists. If a partner is inactive (for example, silent or physically still) sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.
- Affirmative consent can never be given by minors (under the age of 17 in New York State), mentally disabled individuals, or by incapacitated persons. A person who is unconscious, unaware, or otherwise physically helpless cannot give affirmative consent to sexual activity.
- Affirmative consent cannot result from force, or threat of harm, coercion, fraud, intimidation, or incapacitation. The use of force to obtain sexual access or to induce consent violates this policy

whether the force is physical in nature, violent, or involving threats, intimidation, or coercion.

- Physical force includes but is not limited to: hitting, kicking, and restraining. Physical force means someone is acting on you physically and exerting control over you through violence.
 - Intimidation is an implied threat. It is not as clear or explicit as an overt threat.
 - Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion is evaluated based on the intensity, frequency, and duration of the comments or actions. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression, and threatening to harm oneself if the other party does not engage in the sexual activity.
- Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which they otherwise would not have consented.
 - When consent is withdrawn or can no longer be given, sexual activity must stop.

C: Use of Alcohol or Other Drugs

In general, the College considers sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

The perspective of a reasonable person will be the basis for determining whether a Responding Student should have been aware of the extent and amount of the ingestion of alcohol or drugs by the Reporting Individual or of the extent to which the use of alcohol or drugs impacted a Reporting Individual's ability to give consent. For example, an individual who is in a blackout may appear to act normally and be giving consent, but may not actually have conscious awareness, the ability to consent, or later recall the events in question. In determining whether consent has been given, the College will consider both: the extent to which a Reporting Individual affirmatively gives words or actions indicating a willingness to engage in sexual activity; and, whether the Responding Student was aware – or reasonably should have known – of the Reporting Individual's level of alcohol consumption and/or level of impairment.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual violence, stalking, or intimate partner violence, and does not diminish one's responsibility to obtain affirmative consent.

D: Capacity to Give Consent

Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness or intoxication, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation

may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; and/or
- Level of consciousness.

In other words, a person may be considered unable to give affirmative consent due to incapacitation if the person cannot understand who, what, where, when, why, or how, with respect to the sexual interaction.

Evaluating incapacitation also requires an assessment of whether a Responding Student should have been aware of the Reporting Individual's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Responding Student's position.

An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of this policy.

VIII. Options for Support and Reporting

Skidmore College is committed to creating an environment in which individuals who have experienced an incident of sexual and gender-based misconduct are encouraged to come forward and make a report. Members of the Skidmore community are strongly encouraged to seek support and information from available reporting sources. Immediate reporting is essential for the protection of students. All sources will provide the Reporting Individual with information about obtaining support, resources, and the process associated with making a report or a formal complaint with the College and/or with a law enforcement agency.

The College will endeavor to respect the wishes of the Reporting Individual regarding how and if to move forward; however, in some circumstances, the College will have to move forward. Under these circumstances, the College will weigh the request for confidentiality or that no further action be taken against the following factors: the seriousness of the alleged misconduct, any potential threats to community safety, the respective ages and positions of the Reporting Individual and the Responding Student, whether there have been other complaints against the Responding Student, and the Responding Student's right to receive information under applicable law.

Reporting the incident may help the Reporting Individual to gain some control over the situation and make informed decisions using information provided by the reporting source. Prompt reporting will not only benefit and support Reporting Individuals, but will also help the College in maintaining a safe community.

All students shall have the right to emergency access to the Title IX Coordinator or other trained official who shall be available upon the first instance of disclosure by a Reporting Individual to provide information regarding options to proceed and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, as well as other pertinent information.

If the accused is an employee of the College, the Reporting Individual shall have the right to report the incident to the College's Human Resources Department or may request that a confidential or private employee assist in reporting to the appropriate human resources authority.

Reporting Individuals have the right to receive assistance from appropriate institution representatives in initiating legal proceedings in family court or civil court.

1. To Speak with Someone Confidentially:

Confidential resources are those individuals who, by law and/or college policy, are obligated to maintain confidentiality of the disclosure of sexual or gender-based misconduct. These individuals are not required to re-disclose information shared with them other than in very extreme and unusual circumstances involving evidence of a serious and imminent threat to the individual making the report or to an identifiable third party. Confidential resources include:

- Counseling Center
- Health Services
- Wellspring - A victim advocate from Wellspring (formerly Domestic Violence and Rape Crisis Services of Saratoga County) is on campus and accessible to individuals during set times (see <http://www.skidmore.edu/sgbm/contacts.php> for contact information and to schedule a meeting).

2. Anonymous Reporting Sources

Anonymous reporting sources have been deemed confidential by the College but are still required to report statistical information to the Title IX Deputy Coordinator.

- **Victim Advocates**

While maintaining a victim's anonymity, Victim Advocates must report the nature, date, time, and general location of an incident to the Title IX Deputy Coordinator or designee. This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Deputy Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Deputy Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Deputy Coordinator.

- **Peer Health Educators**

Student Peer Health Educators are mandated to report for statistical purposes all incidents of sexual and gender-based misconduct that are disclosed to them. This report is made to Campus Safety and will not include any information that could identify the Reporting Individual. However, when a Student Peer Health Educator reasonably believes that an individual's safety is at risk, they will discuss the report with members of the Student Counseling Center and/or Health Promotion staff to determine what information from the report must be shared with administrators at the College responsible for ensuring campus safety. In these situations, Student Peer Health Educators will make every effort to let the student know in advance and offer to go with the student to help facilitate an appropriate campus response.

- The Student Wellness Center, located on the 3rd floor of Case Center, is a student run, administratively affiliated safe space for reporting incidents of sexual and gender-based misconduct and obtaining support after incidents of sexual and gender-based misconduct. Trained Peer Health Educators can help students get help from on and off campus resources. Hours, which vary by semester, are posted on the door to the Wellness Center.

3. Private Reporting Sources:

Reporting Individuals may speak with a Private Reporting Source if they are considering filing a formal report or complaint. Private Reporting Sources are individuals who are trained to provide students with information and assist with obtaining information and support from available resources at the College and in the Saratoga Springs community. Private Reporting Sources will also provide students with information about the process associated with making a report or a formal complaint with the College or with a law enforcement agency. Although these reporting sources will endeavor to maintain the privacy of the matter and the individuals involved, they are required to disclose necessary information that is disclosed to them to the Title IX Deputy Coordinator. In some circumstances, Private Reporting Sources may also be responsible for initiating an investigation of the alleged sexual or gender-based misconduct.

Private Reporting Sources include:

- Title IX Coordinator
- Title IX Deputy Coordinator
- Dean of Students/Vice President for Student Affairs
- Assistant Director of Student Conduct
- Campus Safety

- Sexual and Gender-Based Misconduct Advisory Council (except Counseling Center and Health Services staff who are confidential sources, and Victim Advocates, who can protect anonymity)
- Trained Sexual and Gender-Based Misconduct Advisors

4. Non-Confidential/Not Private Resources:

Other college resources are individuals who can assist with obtaining campus resources, information and support about available resources at the College. Faculty and Staff members falling under this category are often referred to as Responsible Employees throughout federal mandates. Although these college resources will endeavor to maintain the privacy of the matter and the individuals involved, they are **required** to share what is disclosed to them to the Title IX Deputy Coordinator. Non-Confidential/Not Private Campus Resources include:

- Student Affairs administrative staff (except Counseling Center and Health Services staff who are confidential sources, and Victim Advocates, who can protect anonymity)
- Residential Life staff members (Area Coordinator, Assistant Director, Director, etc.)
- Resident Assistants and Unit Assistants
- Peer Mentors
- Deans
- Faculty
- Coaches and Athletic Trainers
- Student organization faculty/staff advisors

In addition, a Title IX complaint can be filed with the United States Department of Education, Office of Civil Rights (contact information available in the “Notice of Non-Discrimination” at the beginning of this policy).

Accommodations and Interim Measures

Regardless of whether the Reporting Individual wishes to pursue a Formal Report or Complaint, the College will undertake an appropriate inquiry and take such prompt and effective action as is reasonably possible under the circumstances to support and protect the parties involved and protect the College community. This may include taking appropriate interim measures before the final outcome of the investigation and/or adjudication, including interim suspension of the Responding Student. Interim measures are available at the request of either the Reporting Individual or Responding Student. Additionally, the College may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader College community, and/or the integrity of the process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented measure. Additional interim measures include, but are not limited to:

- Access to counseling and health services;
- Imposition of a no contact directive;
- Campus escorts;
- Change of on-campus student housing to different on-campus location;

- Rescheduling an academic exam, paper, assignment, etc.;
- Taking an incomplete in a class;
- Transferring of class sections;
- Alternative course completion options;
- Employment modification (change of schedule or assignment, etc.);
- College-imposed leave or separation;
- To seek an Order of Protection from a court of competent jurisdiction; the College will enforce the Order of Protection once notified of its existence and terms (more information on how to obtain an Order of Protection is included in a later section); and/or
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Additionally, if a Reporting Individual does not wish to file a formal complaint with the College, they can request a negotiated accommodation, such as a No Communication Agreement.

- No Communication Agreement
 - The Title IX Deputy Coordinator may, at the request of the Reporting Individual, discuss a No Communication Agreement with the Responding Student. This can be instituted regardless of how a Reporting Individual is choosing to move forward with the investigation/adjudication process.
 - A No Communication Agreement states:
 - You agree to avoid contacting each other until further notice. Both of you are to refrain from: (1) calling one another at any time; (2) sending via email/social media, campus mail or regular mail anything to one another; (3) contacting or communicating with one another, including through a third party, in any way at any time. If you wish to make contact, you must do so through the Office of Student Conduct and Conflict Resolution.
This agreement does not restrict your movement on campus, location of housing, or enrollment in courses. If you simultaneously participate in a program or activity or are currently attending the same academic course, it is expected that you will not make verbal contact unless otherwise required by the program, activity or course instructor.
 - A No Communication Agreement is separate from a No Contact Directive in that it does not restrict a person's movement on campus and it is mutual, meaning all parties are expected to abide by the terms.
 - A No Communication Agreement constitutes neither a waiver by the Reporting Individual of the right to file a formal complaint nor does it constitute an admission of responsibility or wrongdoing by the Responding Student
 - Failure to comply with the agreement would result in further conduct charges and sanctions.

Upon request, an individual may also seek a prompt review of the need for and/or terms of any other interim measure and accommodation that directly affects them, by submitting a written request for review to the Title IX Deputy Coordinator, providing the basis for that request and any evidence in support.

Additional Information on No Contact Directives

A no contact directive is a written document advising a person against whom the no contact directive is issued to avoid contacting the other party until the order expires or is modified. Contact consists of (1) calling the other party at any time; (2) sending via text message/email/social media, campus mail, or regular mail anything to the other party; and/or (3) contacting or communicating with the other party,

including through a third party, in any way at any time.

When as a result of a SGBM complaint a no contact directive is issued, the person against whom the no contact directive is issued and the person protected by the no contact directive observe each other in a public place, unless it is otherwise provided in the no contact directive, it is the responsibility of the individual subject to the no contact directive to leave the area immediately and without directly contacting the person protected.

When a no contact directive is issued, both the person against whom it is issued and the person seeking the no contact directive, will, upon request, be afforded a prompt review, reasonable under the circumstances, of the need for and/or terms of the no contact directive, including potential modification. This request may be made by submitting a written request the Title IX Deputy Coordinator, providing the basis for the request and submitting any evidence in support of the request.

Continued intentional contact in violation of a no contact directive is grounds for additional misconduct charges. Violations of the no contact directives should be reported to Campus Safety and all violations will be investigated and adjudicated under the Failure to Comply section of the Code of Social Conduct in the Student Handbook.

This directive is only enforceable by the College and only applies if the party against whom the no contact directive is issued is a member of the Skidmore community.

College Imposed Interim Suspension or Leave

- If either the Title IX Coordinator or Title IX Deputy Coordinator decide at any point that the safety of a student or of any member of the College community is at stake, an interim suspension may be imposed on a student who is suspected of violating the Student Code of Conduct, any rules, regulations, or procedures of the College, or otherwise poses a risk of safety to the campus, until the time student conduct resolution or disciplinary action can be completed. Interim suspensions are imposed in consultation with the Dean of Students/Vice President of Student Affairs. This action assumes no determination of responsibility and the student conduct process will be held as soon as possible. This action cannot be taken unless the Reporting Individual files a formal report or complaint with the Title IX Deputy Coordinator. A student subject to such interim measures may appeal the decision to impose them to the DoS/VPSA within 3 business days after being notified of the decision.

IX. Filing a Formal Report

Reporting to the College

If the Responding Student is a currently enrolled student, any person who has experienced an incident of sexual misconduct or gender-based discrimination may file a formal report with the Title IX Deputy Coordinator. The Reporting Individual works with the Title IX Deputy Coordinator or designee to submit a statement and explore options for proceeding through the process.

Reporting to Law Enforcement

It is the Reporting Individual's decision whether or not to file a criminal report. The College encourages Reporting Individuals to seek out the support system that feels most appropriate and helpful. It is the policy of Skidmore College, and the Saratoga Springs Police Department, to not issue citations or take disciplinary action against victims who are under the legal drinking age or under the influence of illegal substances who report an assault.

In the event an individual chooses to report to law enforcement, they may do so on their own or request assistance from Campus Safety. Saratoga Springs police can come to campus to take a statement and ensure that the Reporting Individual is physically safe. The police will also interview the Reporting Individual about what happened. The interview is conducted in private, but the Reporting Individual can request to have a friend or another supportive person accompany them if they wish. The police will get as much information as possible about the incident and investigate the case further.

Once an investigation is completed, the police refer the case to the District Attorney's office. The District Attorney's office decides whether or not the case will be prosecuted by considering factors such as the amount of evidence available to prove the charge(s) in court. If the District Attorney decides not to prosecute, this does not mean that the District Attorney doesn't believe that an assault occurred. It means that based on past experience, the District Attorney does not believe that there is sufficient evidence to successfully prosecute the case.

To report to local law enforcement, Reporting Individuals should contact the Saratoga Springs Police Department at 518-584-1800.

Violation of Law and College Discipline

Because sexual and gender-based misconduct may constitute both a violation of College policy and criminal activity, the College encourages persons to report alleged sexual and gender-based misconduct promptly to Skidmore Campus Safety or local law enforcement agencies. Criminal investigations may be useful in the gathering of relevant evidence, particularly forensic evidence.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of the Skidmore College Sexual and Gender-Based Misconduct Policy, criminal investigations or reports are not determinative of whether sexual or gender-based misconduct has occurred under the College's policy. In other words, conduct may constitute sexual or gender-based misconduct under the College policy even if it is not a crime or law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute.

The filing of a report of sexual and gender-based misconduct with the College is independent of any criminal investigation or proceedings (except that the College's investigation may be delayed temporarily while the criminal investigators gather evidence), and the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and take interim measures to protect the Reporting Individual and the College community as necessary.

Timely Warning

If a report of sexual or gender-based misconduct discloses a serious or continuing threat to the Skidmore community, the College may issue a campus wide timely warning (which can take the form of campus flyers and/or an email to campus community) to protect the health or safety of the community. The College will make every effort to ensure that a Reporting Individual's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

At no time will the College release the name of the Reporting Individual to the general public without the express consent of the Reporting Individual. The release of the Responding Student's name to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the CLERY Act.

All College proceedings are conducted in compliance with the requirements of FERPA, the CLERY Act, Title IX, New York's Enough Is Enough law, and other state and federal laws. No information shall be released from such proceedings except as required or permitted by law and College policy.

Order of Protection

Reporting individuals have the right to be assisted by Campus Safety or other official reporting resources in obtaining a court ordered order of protection or, if outside of New York State, an equivalent protective or restraining order. An order of protection can only be issued by a judge if a criminal complaint is made.

If the institution receives an order of protection, a copy of the order will be shared with the Reporting Individual or Responding Student. Either party will have an opportunity to meet or speak with an institution representative, or other appropriate individual, who can explain the order and answer questions about it, including information from the order about the Responding Student's responsibility to stay away from the protected person or persons. Consequences for violating these orders may include, but are not limited, to arrest, additional conduct charges, and interim suspension.

In the event of a violation of the order of protection, Reporting Individuals may receive assistance from Campus Safety in contacting local law enforcement and affecting an arrest.

Additional Information on Obtaining an Order of Protection:

An Order of Protection is a legal document in which a Judge orders someone to follow specific conditions of behavior – that is, tells someone things that they must or must not do.

Police can make immediate arrests if they have good reason to believe those conditions have been violated. The point of a Temporary Order of Protection is to maintain peace and provide protection until all the facts have been gathered and the case is heard in Court. The Order remains in effect as written until it is changed or terminated by the Court.

There are generally two types of Orders of Protection, Family Court Order and Criminal Court Order. For more information, please see <https://www.nycourts.gov/faq/orderofprotection.shtml#q1>

Note: Representatives from Wellspring may assist members of the Skidmore community in obtaining orders of protection from Family Court. Likewise, Campus Safety will assist community members with obtaining orders from the Criminal Court via the police.

Orders of Protection are enforceable on campus and in other jurisdictions, including out of state. This becomes particularly important if the requesting party anticipates problems when they are home or elsewhere during class breaks. Most orders are entered into a nationwide database so police will be able to confirm the existence of an order, even if you don't have a hardcopy with you. More information on the NYS Order of Protection Alert System can be found here: <https://oop.nyalert.gov/OOP/Default.aspx>.

X. Requesting Confidentiality/No Further Action

Requesting Confidentiality and No Further Action From the College: How the College Will Weigh the Request and Respond

Prior to filing a formal complaint, a Reporting Individual can request that, even though the College has received actual notice, no further action be taken by the College and that the incident remains private. The Title IX Deputy Coordinator and/or designee will review the information received and decide if that option is available. If this option is available, the incident will remain private and no action by the College will be taken. The incident will be kept on file with the Title IX Deputy Coordinator in the event that a future pattern emerges. The incident may be re-evaluated if a pattern does emerge. If the Title IX Deputy Coordinator has enough information indicating that the College has a duty to respond to the behavior, regardless of the Reporting Individual's participation in the process, the College may move forward with filing a formal complaint and serving as the Reporting Individual in the absence of the Reporting Individual.

In the event that a Reporting Individual does not wish to proceed with an investigation or adjudication process, the Title IX Coordinator or designee will determine, based on the available information, including any investigative report, whether the investigation or conduct proceedings should nonetheless go forward.

When weighing an individual's request for confidentiality or that no investigation or discipline be pursued, the Title IX Deputy Coordinator or designee will consider a range of factors, including, but not limited to, the following:

- The increased risk that the Responding Student will commit additional acts of sexual and gender-based misconduct or other violence, such as:
 - Whether there have been other sexual and gender-based misconduct complaints about the same Responding Student;
 - Whether the Responding Student has a history of arrests or records from a prior school indicating a history of violence;
 - Whether the Responding Student threatened further sexual and gender-based misconduct or other violence against the victim or others;
 - Whether the sexual violence was committed by multiple perpetrators;
 - Whether the misconduct was perpetrated with a weapon;
 - Whether the victim is a minor;
 - Whether the Responding Student has admitted to the conduct;
 - The extent of prior remedial methods taken with the Responding Student
 - Whether the College possesses other means to obtain relevant evidence of the misconduct (e.g., security cameras or personnel, physical evidence);
 - Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.
 - Whether the incident represents escalation in unlawful conduct on behalf of the Respondent Student from previously noted behavior;
 - The increased risk that the Respondent Student will commit additional acts of violence.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the Reporting Individual's request for confidentiality.

The College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to do so may be limited based on the nature of the request by the Reporting Individual. The College will assess any barriers to proceeding, including retaliation, and will inform the Reporting Individual that Title IX prohibits retaliation and the College will take strong responsive action to protect the Reporting Individual. Where the College is unable to take action consistent with the request of the Reporting Individual, the Title IX Coordinator or designee will communicate with the Reporting Individual about the College's chosen course of action, which may include the College choosing to pursue action against a Responding Student on its own behalf. Alternatively, the course of action may also include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against a Responding Student or revealing the identity of the Reporting Individual.

If the College determines that it cannot maintain a student's confidentiality, the College will inform the Reporting Individual prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the Reporting Individual's well-being, and will take ongoing steps to protect them from retaliation or harm and work with the student to create a safety plan. Retaliation against the Reporting Individual, whether by students or College employees, will not be tolerated. The College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide other security and support, which could include issuing a no contact directive, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The College may not require a Reporting Individual to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual and gender-based misconduct campus-wide, reports of sexual and gender-based misconduct (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual and gender-based misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

If the College determines that it can respect a Reporting Individual's request for confidentiality, the College will also take immediate action as necessary to protect and assist the Reporting Individual. If the College honors the request for confidentiality, the Reporting Individual must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the Responding Student may be limited.

XI. Investigation Process

Filing a Formal Complaint

If the Reporting Individual wishes to file a formal complaint, the Title IX Deputy Coordinator and/or Investigator will collect a statement from the Reporting Individual for the formal complaint. After receiving this statement, the Investigator(s) will meet with the Title IX Deputy Coordinator (if they were not the Investigator) and the Conduct Administrator to discuss the statements and appropriate next steps, taking into consideration the choice/wishes of the Reporting Individual. The options for next steps include:

1. Not enough information presented to move forward with formal complaint.
2. **Moving forward with a formal complaint:** Information collected in the formal report gives reasonable cause to believe a violation of the SGBM policy may have occurred and warrants further investigation. A full investigation will begin.

Full Investigation

The Title IX Deputy Coordinator will determine the most effective method of reviewing the concerns raised by the reported sexual or gender-based misconduct. In all cases, the College will respond to the report in a prompt, impartial, procedurally fair, and effective manner. Upon receipt of a report, the College will strive to complete the investigation and adjudication processes (excluding appeal process) within sixty (60) calendar days. Throughout the investigation process, a Reporting Individual and Responding Student may be accompanied by a trained Sexual and Gender-Based Misconduct Advisor and/or an Advisor of their choosing to all meetings, investigation interviews, and/or panel reviews pertaining to the complaint.

Investigation Process:

An investigation into whether or not a violation of the Sexual and Gender-Based Misconduct Policy has occurred will begin after a formal complaint has been filed and the Reporting Individual has been informed of their rights under this policy.

The Title IX Deputy Coordinator or designee will then reach out to the Responding Student to inform them of the Formal Complaint, including the date, time, location, and factual allegations concerning a violation, the investigation and adjudication process, and their rights under this policy. The Responding Student must contact the assigned Investigators to schedule the initial investigation interview within 48 hours of receiving the formal complaint. If the Responding Student fails to arrange and meet with the Investigators within the specified time frame, the complaint process will proceed in their absence.

The Reporting Individual and Responding Student will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.

The purpose of the investigation is to collect information, through meeting separately with the Reporting Individual (if participating), Responding Student, and pertinent witnesses, and reviewing other relevant information. At any time during the course of an investigation, the Reporting Individual, Responding Student, or any witnesses may also provide a written statement, other supporting materials, or identify other potential witnesses, regarding the matter under review. All information gathered will be used to complete an investigation report to be used during the adjudication process. Individuals who are interviewed may provide information that the Investigators determine is irrelevant to the finding of facts and reserve the right to redact this information from the final investigation report.

The investigation report will be shared with the Reporting Individual and Responding Student once it is complete. The Reporting Individual and Responding Student each have five business days following the receipt of the report to write a response to it or pose questions to the other parties (including witnesses), if they wish to do so, before the investigation report is considered final. Written responses may also include additional information not previously included in the report that is relevant to the determination of whether or not the Sexual and Gender-Based Misconduct Policy has been violated. Submitted questions will be reviewed by the Investigators and if deemed appropriate and unanswered will be asked to the other parties. Investigators will gather answers to the questions asked and responses will be included in the final investigation report. Any new information will be reviewed for relevance by the Investigators prior to becoming part of the final investigation report. Written responses and answers to questions will be included in the official materials sent forward to the Adjudication Panel for review. Once the investigation report is final, it is turned over to the Conduct Administrator to begin the adjudication process. The final investigation report is provided to the Reporting Individual, Responding Student, and the Adjudication Panel.

XII. Adjudication Process

Standard of Evidence

The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate reports of alleged sexual and gender-based misconduct under a "preponderance of the evidence" standard and that is the standard adopted by this policy. A preponderance of the evidence exists when a reasonable person, after a careful balancing of available information, would conclude that "more likely than not" a violation has occurred and the student charged is responsible for the violation.

Special Procedures:

A. False Reports

The College will not tolerate false allegations of incidents of sexual and gender-based misconduct. Complaints made in good faith that are found not to constitute harassment or discrimination will not be considered false allegations. It is a violation of the *Student Code of Conduct* to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. Any individual who knowingly, maliciously, or frivolously makes a false allegation of sexual and gender-based misconduct will be subject to disciplinary action up to and including suspension or expulsion. Similarly, any party or witness who is later proven to have intentionally given false information during the course of an investigation or conduct process may be subject to disciplinary action.

B. Amnesty for Reporting Individual(s)/Witnesses/Bystanders

The health and safety of every student at Skidmore College is of utmost importance. Skidmore recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence – including but not limited to domestic violence, dating violence, stalking, or sexual assault, or the alleged incident of sexual and gender-based misconduct – occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Skidmore College strongly encourages students to report domestic violence, dating violence, stalking, sexual assault, or sexual and gender-based misconduct to reporting resources listed above. A bystander acting in good faith or a Reporting Individual acting in good faith who discloses any incident of domestic violence, dating violence, stalking, sexual assault, or sexual and gender-based misconduct to College officials or law enforcement will not be subject to Skidmore College Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, sexual assault, or incident of sexual and gender-based misconduct.

C. Alternative Participation Options

Reporting Individuals or Responding Students may request alternative participation options during the commenting period of the panel. Options include placing a privacy screen in the panel review room, or other options that provide a safe space for participation while not depriving the Responding Student of their rights in the process. While these options are intended to help make all parties more comfortable in participating in this process, they are not intended to work to the disadvantage of the Responding Student.

D. Sexual History/Character, Past Sexual and Gender-Based Misconduct Violations, and Past Conduct Violations

1. The Investigator and the Sexual and Gender-Based Misconduct Adjudication Panel will not consider information concerning the sexual/romantic history or sexual character of either the Reporting Individual or the Responding Student, except:
 - a. From either the Reporting Individual or the Responding Student regarding their shared sexual history. If either offers such information, the other will have the right to respond; or

- b. Information regarding the Responding Student’s sexual history that shows a pattern of behavior by the Responding Student. In order to be relevant, the Investigators will strive to gather a description of the similar behavior, a summary of the relevance of the described behavior, and a brief explanation of why this information was not previously investigated and/or the status of the investigation. Whether certain conduct constitutes “similar behavior” is within the discretion of the Adjudication Panel.
2. If, in the past, a Responding Student was found to have violated the Sexual and Gender-Based Misconduct Policy (“Past Violation”), the information related to the Past Violation may be shared by the Conduct Administrator and considered by the Adjudication Panel prior to determining responsibility and sanctions, if:
 - a. The previous violation was substantially similar to the present complaint; and
 - b. The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the Responding Student.
3. Other violations of the Sexual and Gender-Based Misconduct Policy that were not substantially similar or other student misconduct (ex. Alcohol and other drug violations) may be shared by the Conduct Administrator after the Panel has determined responsibility but prior to determining sanctions.

Adjudication Procedures

The Conduct Administrator shall assemble a Sexual and Gender-Based Misconduct Adjudication Panel of three trained members of Skidmore’s staff or faculty to review sexual and gender-based misconduct cases. Gender diversity will be ensured in panel composition. The pool of trained Adjudication Panel Members are staff members who are appointed by the DoS/VPSA and/or the faculty members who serve on the Faculty Advisory Board (FAB) and are appointed by the Faculty Executive Committee (FEC) to serve in over-lapping two-year terms. The Reporting Individual and Responding Student have a right to petition that any member of the Sexual and Gender-Based Misconduct Adjudication Panel be removed on the basis of knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to review and determine a case impartially. Panel members are also encouraged to remove themselves from a panel if they have knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to review and determine a case impartially, and to recuse themselves if their participation might compromise the integrity of the adjudication process.

The Adjudication Panel will deliberate in private to review the investigation report. The Panel will start its deliberations by reading the statements gathered by the Investigator(s) and the investigation report, along with the responses to the report (if any) from the Reporting Individual and Responding Student. After discussion, the Panel will decide whether there are additional questions that need to be asked. If so, the Conduct Administrator will go back to the parties to ask those questions. Any additional information collected will be submitted to the Reporting Individual and Responding Student before the panel commenting session.

Following the initial review by the Adjudication Panel, the Responding Student and Reporting Individual will be informed in writing of the date and time of the panel review and commenting session. Any scheduling requests must be submitted to the Conduct Administrator to be resolved no later than 48 hours prior to the scheduled date of the commenting session.

The Responding Student and Reporting Individual may be accompanied by one advisor of their choosing and one Sexual and Gender-Based Misconduct Advisor. The Advisor and Sexual and Gender-Based

Misconduct Advisor are present to act as counselors and to support the Responding Student and Reporting Individual, and to provide advice on procedural matters. The Advisor and Sexual and Gender-Based Misconduct Advisor do not have speaking privileges during the Adjudication Panel review. A panel review will not be cancelled or postponed in the event a scheduled Advisor and/or Sexual and Gender-Based Misconduct Advisor does not attend. If the scheduled Advisor and/or Sexual and Gender-Based Misconduct Advisor is not able to attend, the Reporting Individual/Responding Student is advised to arrange for a substitute. The Responding Student and Reporting Individual must notify the Conduct Administrator or the Title IX Deputy Coordinator of any Advisor and Sexual and/or Gender-Based Misconduct Advisor attending the panel 24-hours prior to the panel review.

Any portion of the panel review not considered private deliberation will be audio-recorded, including the commenting session. A digital file will be made available upon request to the Reporting Individual and/or Responding Student in order to prepare a written appeal.

During the Adjudication Panel review, the Reporting Individual and Responding Student are invited to address the Panel during a 30-minute commenting session. The commenting session can be used to direct the Panel to review specific sections of the investigation report. The commenting session will not allow for any impact statements to be made. The Panel will not ask any questions during this phase, as all questions have been asked by the Investigators and answered by the appropriate parties. The Reporting Individual and Responding Student then leave the room and the Panel by unanimous decision will determine whether or not the Responding Student violated the Sexual and Gender-Based Misconduct Policy and/or Code of Social Conduct violation as alleged in the formal complaint by finding either: “in violation” or “no violation” using the standard of evidence described above. If the Responding Student or Reporting Individual fails to appear at the panel, the panel will move forward in their absence.

If the Panel renders a determination of no violation, the Panel adjourns. The Reporting Individual and Responding Student have the right to appeal this determination. If either party submitted an impact statement, the Conduct Administrator will contact them to pick up the unread statements and they will not remain a part of the case information.

If the Panel renders a determination of “in violation”, the Panel will review any submitted impact statements and information regarding past violations prior to making sanctioning determinations.

- **Impact Statement:** The Reporting Individual and Responding Student each have the right to prepare and submit, in writing, an Impact Statement to be considered by the Sexual and Gender-Based Misconduct Adjudication Panel while determining sanctions. Impact statements outline the Reporting Individual’s or Responding Student’s thoughts regarding an appropriate sanction. The Panel is not bound by these statements in determining sanctions. Impact statements are optional and are only admissible if a violation is found.

The Panel will then recommend a sanction consistent with those specified in the Skidmore College Sexual and Gender-Based Misconduct Policy.

The Panel shall have up to five business days following the 30-minute commenting session to render a decision regarding a finding or sanction.

The Conduct Administrator will notify both the Reporting Individual and Responding Student simultaneously, in writing via email, of the Panel’s decision.

The Reporting Individual and Responding Student both have the right to appeal any decision made by the Panel. Appeal procedures can be found in the section below.

The College reserves the right to extend any time periods identified in this policy and both the Reporting Individual and Responding Student will be promptly notified of any changes in the procedures.

If a sexual or gender-based misconduct case is also being heard by a civil or criminal court, the College retains the right to hear the case before, after, or during the same time as the civil or criminal case, and to implement appropriate action (such as No Contact Directives, removal from campus residence facilities, removing a student from a class or classes or interim suspension) to maintain the safety of the campus.

The campus conduct process shall be confidential to the extent possible and as allowed by law.

Notification of Determination

The determination made after an investigation (if there is not sufficient information to proceed with an adjudication process) or at the conclusion of adjudication is part of the education record of the Responding Student, and is protected from disclosure under Federal law. However, there are two exceptions as follows:

- Reporting Individuals shall be informed of the formal complaint against the Responding Student, the determination made after a panel, and any sanctions imposed.
- Students who bring any sort of sexual misconduct complaint against faculty or staff may be informed of the determinations made and sanction imposed.

Information regarding the release of disciplinary records can be found in the Student Handbook.

Appeal Process

A student involved in the conduct process as a Reporting Individual or a Responding Student may file a written appeal of the Adjudication Panel's decision. Appeals will be considered on the following grounds:

- a) A procedural error occurred that significantly impacted the outcome of the process (e.g. substantiated bias, material deviation from established procedures, etc.);
- b) The discovery of new information, unavailable to the appealing party during the original panel or investigation, that could substantially impact the original finding or sanction; or
- c) Sanctions are disproportionate to the nature or severity of the violation or violations, taking into account the totality of the circumstances (including the cumulative conduct record of the Responding Student, if any).

In the event that the sanction is suspension or expulsion, the decision will be automatically reviewed by the Dean of Students and Vice President for Student Affairs (DoS/VPSA). Both parties can submit written statements to be considered by the DoS/VPSA during their review process.

To File an Appeal

- Submit a written appeal **within three (3) business days of the written outcome being made** available to the Office of Student Conduct and Conflict Resolution.
- Written appeals will be submitted to the other party for their response, which must be submitted

within two (2) business days.

To Respond to an Appeal

- Parties will be notified of the other party's appeal once it has been received by the Office of Student Conduct and Conflict Resolution.
- All parties will have access to all the written appeals and responses submitted by all parties after the submission deadlines have ended.

Potential Appeal Outcomes

The appeal will be reviewed by an Appeal Panel, chaired by the Dean of Students/Vice President for Student Affairs (DoS/VPSA). The Appeal Panel members will be chosen from the same pool of trained Panel members described in the adjudication procedures above. The Reporting Individual and Responding Student have a right to petition that any member of the Sexual and Gender-Based Misconduct Adjudication Panel be removed on the basis of knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to hear and determine a case impartially. Panel members are also encouraged to remove themselves from a panel if they have knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to hear and determine a case impartially, and to recuse themselves if their participation might compromise the integrity of the adjudication process.

The Appeal Panel will meet in private to review all available written material, including the full investigation report, submitted impact statements, outcome letters (with written rationale), appeal statements and the digital recording of the 30-minute commenting session. After a review of all available information, the Appeal Panel may decide to:

- Decline to consider the appeal if it is not based on one or more of the criteria listed above,
- Make a final determination either upholding or altering the outcome of the panel,
- Ask the original Adjudication Panel to reconsider the case based on new information, or
- Impanel a new Adjudication Panel to decide the case de novo.

The Appeal Panel will review the appeal and render a **decision within ten business days after receiving the written appeal**. The decision of the Appeal Panel is final, subject to any further proceedings ordered by the DoS/VPSA as described above.

*The timeline above may change depending on individual circumstances of the case. If there are any changes to the appeal timeline, this will be communicated by the DoS/VPSA or their designee to all parties involved.

**During the appeal process, the DoS/VPSA may implement interim restrictions for sanctions such as suspension or expulsion to allow the Responding Student to continue to take classes but protect the safety and well-being of the Reporting Individual.

Sanctions

Sanctions are designed to stop the harassing behavior, prevent its reoccurrence, and remedy the effects upon the victim and community. Sanctions preserve individual and institutional safety and integrity and, whenever possible and appropriate, help offenders repair the damage to the individual and community for which they have been found responsible. Individuals found to be in violation of sexual and gender-based misconduct offenses involving penetration will likely face a recommended sanction of suspension or

expulsion. Individuals found to be in repeat violation of sexual and/or gender-based misconduct offenses will likely face a recommended sanction of suspension or expulsion.

The Office of Student Conduct and Conflict Resolution maintains a record of all student misconduct and sanctions applied, and these are admissible in subsequent student conduct proceedings involving the student(s) in question. Student misconduct may have an impact on eligibility for academic prizes and honors, eligibility to hold a student leadership position, participation and/or status in the housing selection process, law school applications, security clearances, etc.

When considering appropriate sanctions for the violation, the Panel will consider the following pieces of information (in no particular order):

- a) The nature and violence of the conduct;
- b) The Responding Student's prior discipline history;
- c) The impact of the conduct on the Reporting Individual, and their desired sanctions, if known;
- d) The impact of the conduct on the Skidmore community, its members, and/or its property;
- e) How the College has sanctioned similar incidents in the past;
- f) Whether the Responding Student has accepted responsibility; and
- g) Any other mitigating or aggravating circumstances, including the College's values.

The sanctions available to the Adjudication Panel assign include, but are not limited to, the following:

- **Professional Assessment:** Completion of a professional assessment and ongoing compliance with all recommendations that could help the student or the College ascertain the student's ongoing supervision or support needs to successfully participate in the College community.
- **Educational Program:** The Panel may require the Responding Student to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Students may be required to complete a workshop, online education courses, research or reflection paper articulating the harm caused by their actions and/or strategies they may adopt to prevent further disruptive behavior.
- **Specific Restriction(s):** The Panel may impose specific restrictions on an individual to prevent either access to an area of campus or participation in one or more College or College-recognized or sponsored programs or activities (e.g. commencement).
- **No Contact Directive:** The Panel may decide to continue and/or impose a prohibition against having any avoidable contact with one or more identified persons, in person or through telephonic, electronic, written or other means. A no contact directive may include additional restrictions and terms.
- **College Housing Reassignment or Suspension:** The Panel may reassign the student to another College housing facility, or may remove the student from College housing for a specified period of time, including permanent removal.
- **Disciplinary Probation:** If determined appropriate by Panel a student may be placed on Disciplinary Probation. In such a case, any subsequent violation of this SGBM policy (or other college policy) is likely to result in suspension or expulsion. Note that some campus

organizations do not permit their members to serve in leadership positions or hold campus jobs if they are on Disciplinary Probation. Probation may also affect eligibility for study abroad, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

- **College Suspension:** The Panel may recommend suspension to the DoS/VPSA. During the suspension period, the student is prohibited from being present on or at College property, functions, events and activities without prior written approval from the CA. The Panel may also assign specific sanctions, such as a professional assessment or community service, for completion during the suspension period. While suspended, students may transfer up to 18 credits taken at another institution, subject to the usual review by the Registrar. The College follows the refund practices for personal leaves. Further information may be found on the Bursar's Office website at <http://www.skidmore.edu/bursar/withdrawal/index.php>. A decision for suspension constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation. Students wishing to return from a suspension must contact the CA by the date specified in their outcome letter in order to commence the readmission processes.
- **College Suspension in Abeyance:** In cases of suspension, the Panel may decide that there are circumstances that mitigate against the immediate separation of the student from the College. For example, they may allow the student to complete the current semester's coursework and begin their suspension period at the semester's end. However, should the student be found in violation of the Honor Code or the Code of Social Conduct during the period of abeyance, the abeyance may be lifted and the suspension shall take effect immediately and continue through the originally scheduled expiration date for the suspension (subject to any additional sanctions that may be imposed as a result of the new violation).
- **Expulsion:** The Panel may recommend expulsion to the DoS/VPSA. The student is prohibited from being present on or at College property, functions, events or activities. Expulsion is a permanent status. The Responding Student must leave the College immediately and cannot register again as a student without going through a full readmission process. A decision for expulsion constitutes a recommendation to the DoS/VPSA, who will consider whether to accept or modify the recommendation.
- **Degree Revocation:** In the event of serious misconduct committed while still enrolled, but found responsible after the Responding Student has graduated, the College may revoke that student's degree. The student will be asked to return the diploma.

A student who fails to comply with assigned sanctions will generally be placed on hold and may receive additional, more substantial sanctions. In the case of graduating seniors, students may not receive diplomas or transcripts or participate in the graduation ceremony until completion of all sanction requirements, unless specifically permitted by the Adjudication Panel.

Transcript Notation

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(f)(i)(i)-(viii), Skidmore shall make a notation on the transcript of a Responding Student found responsible after a conduct process that they were "suspended after a finding of responsibility for a code of conduct

violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the Responding Student who withdraws from Skidmore while such conduct charges are pending, and declines to complete the disciplinary process Skidmore shall make a notation on the transcript of such students that they “withdrew with conduct charges pending.” Students who are suspended after a finding of responsibility for a Code of Conduct violation may submit a written appeal to the Dean of Students/Vice President of Student Affairs requesting that the transcript notation be removed from their transcript. Such a notation may not be removed from a student’s transcript prior to one year after conclusion of the suspension. Notations for expulsion will not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

XIII. Support Services and Resources

On-Campus Resources

- ***Counseling Center (Confidential):** 518-580-5555
(9 a.m. – 12 noon, 1 p.m. – 5 p.m. Monday–Friday while school is in session)
- ***Health Services (Confidential):** 518-580-5550
(9 a.m. – 12 noon, 1 p.m. – 4:30 p.m. Monday–Friday, and 12 noon – 5 p.m. Sunday while school is in session)
- **Victim Advocates (Anonymous)**
Jen McDonald, Director of Health Promotion: 518-580-5684
Kim Golemboski, Prevention Specialist: 518-580-5484
- **Wellspring Advocate (Confidential, Not affiliated with Skidmore College)**
A victim advocate from Wellspring (formerly Domestic Violence and Rape Crisis Services of Saratoga County) is on campus and accessible to individuals during set times
 - See <http://www.skidmore.edu/sgbm/contacts.php> for exact times and contact information.
- ***Campus Safety:** 518-580-5566
- **Title IX Coordinator (Private)**
Sarah Delaney Vero: 518-580-5708
- **Title IX Deputy Coordinator (Private)**
Mariel L. Martin: 518-580-8212
- **Dean of Students/Vice President of Student Affairs (Private)**
Cerri Banks: 518-580-5760
- ***Administrator ON-CALL:** 518-580-5566
(Call Skidmore Campus Safety to contact “on-call” person)

**indicates availability 24 hours a day/7 days a week*

Off-Campus Confidential Reporting Sources

- ***Wellspring Saratoga Springs 24 Hour Hotline:** 518-584-8188
- ***Saratoga Hospital Emergency Room:** 518-583-8313
- **Saratoga Planned Parenthood/Schenectady Planned Parenthood:** 518-584-0041 or 518-374-5353
- ***NYS Sexual Violence Hotline:**
 - English: 1-800-942-6906
 - Spanish: 1-800-942-6908
 - English TTY: 1-800-818-0656
 - Spanish TTY: 1-800-780-7660

Off-Campus Reporting Sources

- ***Saratoga Springs Police Department:** 518-584-1800
- ***New York State Police Hotline:** 1-844-845-7269 (dedicated 24-hour hotline for sexual assaults occurring on a New York State college campus)
- **Office of Civil Rights**
New York Office
Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: 646-428-3900
FAX: 646-428-3843
TDD: 800-877-8339
Email: OCR.NewYork@ed.gov

**indicates availability 24 hours a day/7 days a week*

Policy revision on August 2016.

This policy may be amended, in writing, by Title IX Coordinator in consultation with the Dean of Students and Vice President for Student Affairs or the Dean's designee at any time.

Smoking Policy

This policy is effective beginning fall 2014. Skidmore College will re-evaluate this policy in the spring of 2017 with the intention of going smoke-free in the fall of 2017.

Purpose

The purpose of the Skidmore College Smoking policy is to limit the potential exposure of students, faculty, staff, and visitors to the effects of second hand smoke, reduce the risk of fires on campus and to provide the community with a healthy, respectful working and learning environment.

Policy

Smoking is prohibited in all Skidmore College facilities, College owned vehicles and within 25 feet of all facilities on campus. Designated smoke-free areas are well marked and make up the interior of the College's campus. Smoking is permitted, in most cases, in areas facing the loop road. In addition, individuals may smoke in their personal vehicles while parked on campus. We ask that anyone choosing to use electronic cigarettes be considerate of their surroundings.

Applicability

This policy applies to all members of the Skidmore College community and guests to our campus.

Responsibility

Effective implementation of this policy is the responsibility of all Skidmore College community members and depends on the courtesy, respect and cooperation of the entire community. Therefore, it is the expectation that:

- All members of the College community comply with this policy.
- All supervisors communicate this policy to their employees.
- All event organizers communicate this policy to event attendees.

Compliance

While there are procedures in place to address violations of campus policies, it is the expectation that community members will act as the primary enforcers of the standards articulated in the policy. However, if members of the community fail to comply with the policy the following actions may be taken:

Employees (staff): Violations of this policy will be addressed through educational and corrective measures as outlined in Human Resources policies and procedures (the VPAA/DoF will address faculty violations as reflected in the Faculty Handbook).

Students: Students will be referred to the Integrity Board.

Visitors: Visitors are expected to observe all College policies. Individuals who violate the smoking policy may be removed from the building or event and denied readmittance.

Smoking Cessation Programs

An important part of any successful smoking policy is campus and community support for those wishing to quit smoking.

Resources for Smokers

NYS Smoker's Quitline: 1-866-697-8487

<http://www.nysmokefree.com/>

- Available to students/staff/faculty
- One of the most accessible services
- Services are free
- Must be >18 years old
- Limited supply nicotine replacement available for moderate-heavy smokers
- Quit coach available
- Links to other local resources, i.e. support groups
- Need to supply New York State address for nicotine replacement (for students-use Skidmore address)
- Calling the Quitline vs. visiting the online site is encouraged; speak with a representative to establish an individualized plan

Glens Falls Hospital-926-6629

- Butt Kickers Smoking Cessation Support Group-for anyone who has quit or thinking about quitting; meets 3rd Wednesday of each month at the Cancer Center Library
- Quit For Life Session-one session every quarter; meets on Tuesdays

Skidmore Employee Assistance Program-793-9768

- Will provide short-term counseling for stress or depression related to smoking cessation

Community Health Centers (for those without insurance or without a primary care physician)

- Saratoga Community Health Center - (518) 886-5600
<https://www.saratogahospital.org/locations-directions/saratoga-community-health-center>
 - Accepts all patients regardless of ability to pay
- Hudson Headwaters – (518) 761-0300 (multiple locations)
<http://www.hhhn.org/HealthCenters/>
 - Accepts all patients regardless of insurance status and offers pharmacy assistance.

Skidmore College Health Services

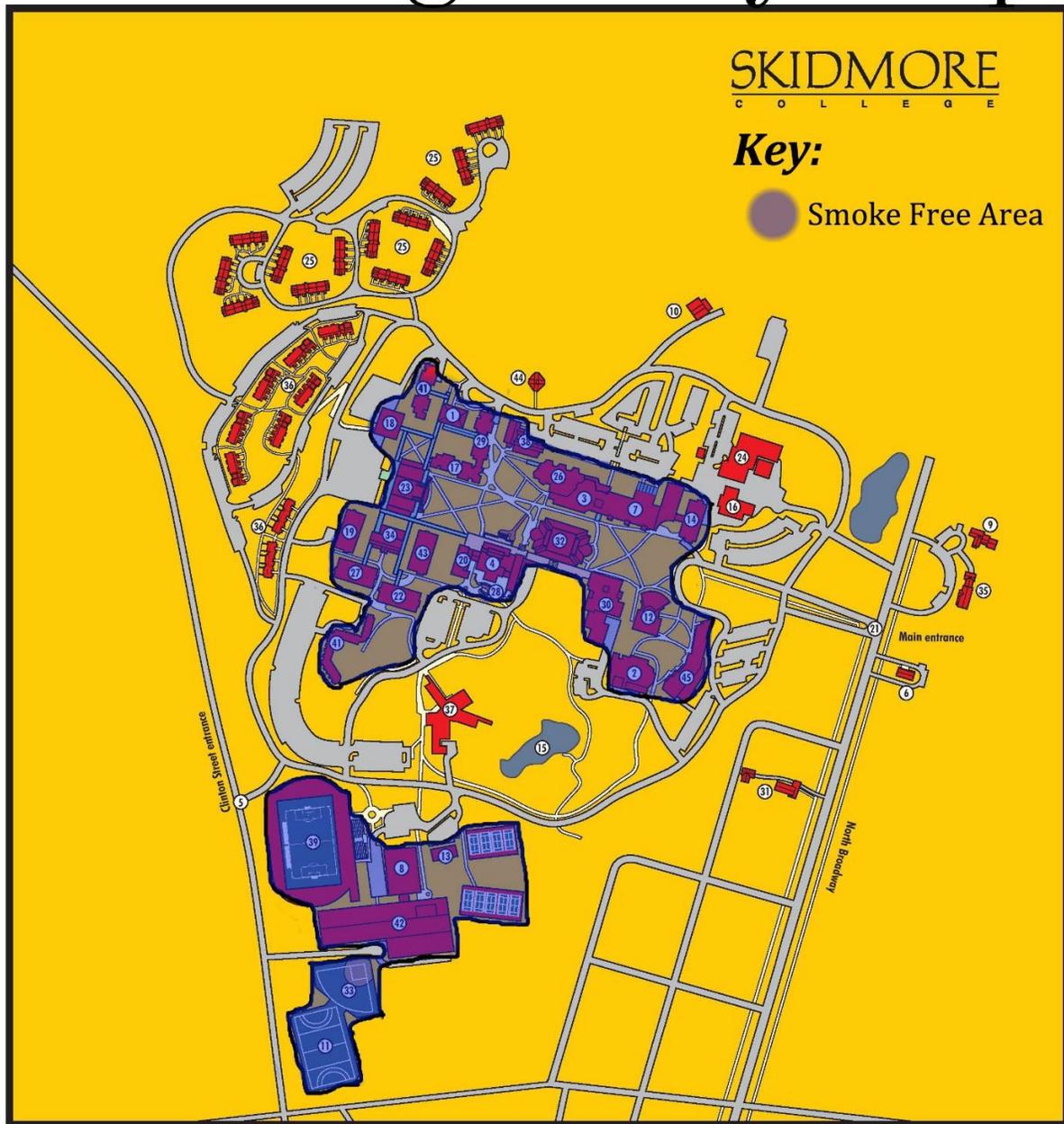
- Can provide medication prescriptions and counseling for students who desire to quit

Skidmore College Counseling Center

- Can provide short term counseling to students who need support in smoking cessation

This policy was revised as of April 2014.

Smoking Policy Map



- | | | | | |
|---------------------------------|---------------------------------|--------------------------------------|--|---|
| 1. Barrett Center | 11. Field Hockey Field | 21. Main Entrance | 31. Scribner House | 41. Wiecking Hall |
| 2. Bernhard Theater | 12. Filene Hall | 22. McCollan Hall | 32. Scribner Library | 42. Williamson Sports and Recreation Center |
| 3. Bolton Hall | 13. Greenberg Child Care Center | 23. Murray-Aikins Dining Hall | 33. Softball Diamond | 43. Wilmarth Hall |
| 4. Case Center | 14. Harder Hall | 24. North Hall | 34. Starbuck Center | 44. Wilson Memorial Chapel |
| 5. Clinton Street Entrance | 15. Haupt Pond/South Park | 25. Northwoods Village/Moore Commons | 35. Surrey Williamson Inn | 45. Zankel Music Center |
| 6. Colton Alumni Welcome Center | 16. Hoge Hall | 26. Palamountain Hall | 36. Sussman Apartments | |
| 7. Dana Science Center | 17. Howe Hall | 27. Penfield Hall | 37. Tang Teaching Museum and Art Gallery | |
| 8. Dance Center | 18. Jansson Tower | 28. Porter Plaza | 38. Tisch Learning Center | |
| 9. Eissner Admissions Center | 19. Kimball Hall | 29. Rounds Hall | 39. Wachenheim Field | |
| 10. Falstaff's | 20. Ladd Hall | 30. Saisselin Art Building | 40. Wait Hall | |

Wheeled Devices, Slacklining, Hoverboards

Students are permitted to have bicycles. However, the College assumes no responsibility for their safekeeping. The College cannot be responsible for shipping any bicycles left on campus, and reserves the right to possess and dispose of bicycles left on campus at the conclusion of an academic year or term. Skateboards, roller blades, roller skates, bicycles, and similar wheeled devices are not permitted inside College buildings, residence halls, or on tennis courts. Additionally, skateboards and other wheeled items may not be ridden on railings, curbs, benches, or other fixtures that may be damaged by these activities, and the College reserves the right to charge individuals for the cost of repairing damage to College property caused by these activities.

Students are permitted to practice safe and responsible slacklining on campus provided appropriate equipment is used and the anchor points on each tree are not more than four feet above the ground. Moreover, the trees used as anchors for the slackline must be at minimum 12 inches in diameter. The College encourages students to use all methods available to protect the health of the tree. The College assumes no responsibility for any injury resulting from slacklining.

Starting January 25, 2015, Skidmore College will prohibit self-balancing scooters, more popularly known as hoverboards, along with battery operated scooters, and hands-free Segways from our campus because of recent concerns by the US Consumer Product Safety Commission and the potential danger these devices may pose to members of the campus community. This response is part of the College's efforts to maintain a safe living, learning, and working environment and to provide a workplace that is free from recognized hazards.

Several safety and consumer agencies currently are investigating fires and injuries related to these devices. Once these investigations have been completed, the College will re-evaluate our stance on these devices.

If you own a self-balancing scooter, battery operated scooter, or hands-free Segway, please make sure that the device is not brought to campus. If you have already brought one of these devices with you, please contact Campus Safety who will work with our facilities team to find safe storage until they can be returned home. Should you be found on campus using one of these devices, please note that it will be confiscated for safe storage and returned to you at the end of the semester.

Section IV: Campus Offices

The following resources can contribute to students' personal growth, academic success, and quality of life. Students are encouraged to acquaint themselves with these resources and to seek out the professional staff for their expertise and guidance. While College staff is always eager to assist students, they cannot know in each instance when concerns or problems arise. It is the responsibility of individual students to assert themselves in finding the appropriate individuals and to take full advantage of the services Skidmore offers.

Academic Advising: <http://www.skidmore.edu/advising/>

Athletics, Fitness, and Recreation: <http://www.skidmoreathletics.com/>

Bursar's Office: <http://www.skidmore.edu/bursar/>

Campus Life and Engagement: <http://www.skidmore.edu/campuslife/>

Campus Safety Office: http://www.skidmore.edu/campus_safety/

Career Development Center: <http://www.skidmore.edu/career>

Community Service Programs: http://www.skidmore.edu/community_service/index.php

Counseling Center: <http://www.skidmore.edu/counseling/>

Dean of Students and Vice President for Student Affairs: <http://www.skidmore.edu/dean-students>

Dining Services: <http://www.skidmore.edu/diningservice>

Disability and Accessibility Services: <https://www.skidmore.edu/accessibility>

Facilities Services: <http://www.skidmore.edu/administration/plant/>

Financial Aid Office: <https://www.skidmore.edu/financialaid>

First-Year Experience: <http://www.skidmore.edu/fye>

Health Services: <http://www.skidmore.edu/health>

Information Technology: <https://www.skidmore.edu/it>

Intramural Sports: <http://www.skidmore.edu/athletics/intramurals/>

Leadership Activities: <http://www.skidmore.edu/leadership>

Lucy Scribner Library: <http://lib.skidmore.edu/library/>

Off-Campus Study and Exchanges: <http://www.skidmore.edu/ocse>

Opportunity Program: http://www.skidmore.edu/opportunity_program/

Post Office: <http://www.skidmore.edu/postoffice/>

Print Services: <http://www.skidmore.edu/printservices>

Registrar's Office: <https://www.skidmore.edu/registrar/>

Residential Life: <http://www.skidmore.edu/reslife/>

Student Academic Services: http://www.skidmore.edu/academic_services/

Student Conduct and Conflict Resolution: <http://www.skidmore.edu/sccr/>

Skidmore Shop: <http://bookstore.skidmore.edu/>

Student Diversity Programs: <http://www.skidmore.edu/osdp/>

Tang Teaching Museum and Art Gallery: <http://tang.skidmore.edu/>