



Student Community Rights and Responsibilities

2023-2024

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The Potsdam Pledge

Being more than a collection of individuals, SUNY Potsdam is a community dedicated to the pursuit of common goals. While these goals can be elusive and controversial, the community described in this document reminds us not only of what we are seeking to become but of all that we share in common. Therefore, let it be known that

SUNY Potsdam strives to be:

An Educational Community: sharing academic goals in which students, faculty and staff work together to strengthen teaching and learning;

An Open Community: uncompromisingly protecting freedom of thought, belief and expression;

A Civil Community: expressing disagreements in rational and nonthreatening ways and treating all individuals with consideration, decency and respect;

A Responsible Community: accepting obligations under clearly articulated principles of behavior designed to support the common good;

A Safe Community: respecting each other's rights, privacy and property;

A Healthy Community: respecting and promoting physical and emotional wellness;

An Ethical Community: reflecting honesty, integrity and fairness in both academic and extracurricular activities;

A Diverse Community: celebrating our differences and learning from our diversity;

A Socially Conscious Community: seeking to contribute to the betterment of the campus, the local community, the nation and the world; and

A Watchful Community: remaining alert to the threats posed by hatred, intolerance and other injustices and ever-prepared to combat them.

Student Community Rights and Responsibilities

Student Community Rights and Responsibilities is the official Code of Conduct outlining behavioral expectations for State University of New York College at Potsdam (“SUNY Potsdam” or the “College”) students. The College has developed this code of standards and expectations, consistent with its purpose as an educational institution and requires that each student accept responsibility for his or her own behavior and consequences. These regulations and the procedures for their enforcement apply to all student conduct and behavior. Once a student is accepted as a member of the College community, they are responsible to uphold the standards outlined in this document. As such, students should be familiar with this document. These specific regulations should not be viewed as a comprehensive code of desirable conduct; rather they describe the minimum standards.

The Office of Student Conduct and Community Standards (“Student Conduct Office”) oversees all aspects of the student conduct system. This office works closely with students, faculty, staff, and the local community on concerns related to policy violations, conflict resolution, appropriate citizenship, social responsibility, academic integrity, inclusivity, and other quality of life issues. It is the goal of the office through coordination of the Student Conduct System, to help students learn to think proactively about their own behavior and its effect on others. More information can be found at <http://www.potsdam.edu/studentlife/studentconduct>.

It should be understood that all rules of the Board of Trustees of SUNY, and all local, state and federal laws apply on the SUNY Potsdam campus. The State of New York laws include, but are not limited to, the New York State Penal Law, the New York State Vehicle and Traffic Law, the New York State Education Law, and the Alcohol Beverage Control Law. Violations of these regulations may result in a referral to the Student Conduct System. In such cases, the College may commence the Student Conduct System procedure independent of criminal or civil court proceedings.

1. Philosophical Approach to Standards of Conduct

Because disciplinary actions must be commensurate with the seriousness of the offense and the total conduct record of the student, each case is determined on its own merits. Student conduct procedures and subsequent disciplinary outcomes are designed to find a balance between the interests of the individual student and the community.

2. Jurisdiction of the College’s Code of Conduct

The Student Code of Conduct shall apply to conduct that occurs on College premises, at College sponsored activities and to off-campus conduct that adversely affects the College community, the pursuit of its objectives, or neighboring communities. A student may be charged with violating local, state, and federal laws and the Campus Code of Conduct as the student is subject to the rules of multiple jurisdictions, including the State and the College. It is the obligation of every student to notify the Office of Student Conduct and Community Standards (by email at

studentconduct@potdam.edu) five (5) calendar days from the date of any felony or misdemeanor arrests at any time after a student pays their admission deposit through graduation or separation from the College, regardless of geographic location or the arrest or specific crime alleged. Failure to do so may result in conduct charge by the College or administrative/registration holds placed on the student's account. The College may review the facts underlying the arrest to determine if there is an associated College policy violation.

In addition, SUNY Potsdam students are responsible for the behavior of their guests on campus or at campus sponsored activities and may be charged through the conduct system for potential code violations of their guests. Students' guests are subject to arrest by campus or local authorities.

3. Inherent Authority for the Student Disciplinary Program

Section 356 of the Education Law empowers the University Council of each State-operated campus of State University of New York to make regulations governing the conduct of students, subject to the general management, supervision, control and approval of the Board of Trustees of the State University of New York. All programs for student welfare and conduct are entrusted to and administered by the SUNY Potsdam President on behalf of the College Council.

The President has delegated administration of programs for student welfare and conduct to the Dean of Students. Enforcement of standards of conduct, College regulations, recommendations for new policies, or modification of policies or regulations affecting student welfare and conduct are initiated through the Dean of Students. The Dean of Students has jurisdiction over the Student Conduct System.

In addition to the *Student Community Rights and Responsibilities*, the rules, regulations, and procedures for The Maintenance of Public Order on campuses of the State University of New York, adopted by the Board of Trustees, are in effect at SUNY Potsdam. (See Rules for the Maintenance of Public Order: https://www.suny.edu/sunyp/documents.cfm?doc_id=351).

4. Official College Communications

All official college communication is sent to the student's Potsdam email address (@potdam.edu). Students are expected to check their email on a frequent and consistent basis in order to stay current with college-related communications. Students have the responsibility to recognize that certain communications may be time critical. Failure to check one's email, failure to maintain one's account resulting in mailbox storage limitations being reached or forwarding errors will not constitute acceptable reasons for missing official college communications via email. Redirecting email does not absolve students from the responsibilities associated with official communication sent to their @potdam.edu account.

Use of the campus email is subject to SUNY Potsdam's Information Technology Acceptable Use

Policy (<https://www.potsdam.edu/about/administrative-offices/computing-technologyservices/policies-forms/acceptable-use-copyright>)

Note: Official communication from the Office of Student Conduct and Community Standards may be sent from the Maxient Student Conduct Management System (notifications@maxient.com).

Non-Discrimination Notice

Pursuant to the State University of New York policy, SUNY Potsdam is committed to fostering a diverse community of outstanding faculty, staff, and students, as well as ensuring equal educational opportunity, employment, and access to services, programs, and activities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, marital status, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants, or other members of the campus community (including, but not limited to, vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law or treated adversely or retaliated against based upon a protected characteristic.

The College's policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

Inquiries regarding the application of Title IX and other laws, regulations, and policies prohibiting discrimination may be directed to Title IX Coordinator Andrea Waters at watersal@potsdam.edu. Inquiries may also be directed to the United States Department of Education's Office of Civil Rights, 32 Old Slip 26th Floor, New York, NY 10005-2500; Tel. (646) 428-3800; email OCR.NewYork@ed.gov.

Student Records Confidentiality: Rights and Procedures

The Family Educational Rights and Privacy Act of 1974 (FERPA) provides current and former students with the right to inspect and review educational records, the right to seek to amend those records, the right to limit disclosure of information from the records and the right to file a complaint with the U.S. Department of Education. Applicants or students may also waive their rights to inspect confidential letters or statements of recommendation. Please refer to the SUNY Potsdam FERPA

website for additional information: <https://www.potsdam.edu/about/offices/registrar/ferpa-family-educational-privacy-act>.

College officials may not disclose personally identifiable information about a student nor permit inspection of their records without the student's written permission unless such action is covered by certain exceptions permitted by FERPA. Under the provisions of the Act, a college may disclose information about a student if it has designated the information as "Directory Information." SUNY Potsdam has designated the following as Directory Information:

- student's name;
- date and place of birth;
- address;
- telephone number;
- email address;
- previous institution(s) attended;
- dates of attendance;
- enrollment status (full/ part time);
- class standing;
- major field of study;
- academic honors or awards received;
- past and present participation in officially recognized sports or activities;
- physical factors (height, weight of athletes);
- degrees conferred (including dates); and
- photographs.

In accordance with FERPA, the student's consent is not required when a college official has a legitimate educational interest in the student's educational record: that is, if the official needs to review this information in order to fulfill their professional responsibility. However, this does not constitute authorization to share that information with a third party without the student's written consent. A "college official" is:

- a person employed by the college in an administrative, supervisory, academic, research, or support staff position (including Campus Police and Student Health);
- a person or company with whom the College has contracted (such as an attorney, auditor or accrediting agent);
- a person employed by SUNY System Administration;
- a person serving on the College Council;
- or a student serving on an official committee, or assisting another College official in performing his or her tasks.

In addition, the college can disclose educational records without consent to officials of another school in which a student seeks or intends to enroll.

A former or currently enrolled student may request the Directory Information not be published in the web version of the Campus Directory nor released to non-college personnel without the student's prior consent by filing a "Request to Withhold Release of Directory Information" in One Stop. These requests are honored during the entire academic year and are valid until rescinded by the student.

Please consider very carefully the consequences of any decision to withhold Directory Information. All requests for such information from outside the College will be refused. Regardless of the effect on the student, the College assumes no liability for honoring instructions that such information be withheld.

FERPA Rights and Procedures

FERPA affords students certain rights with respect to their educational records. Students have the right to review their educational records within 45 days of the date the college receives a request for access. Students should submit to the College Registrar written requests that identify the record(s) they wish to inspect and the student will be notified of the time and place where the records may be inspected. If the records are not maintained in the office of the College Registrar, the Registrar will advise the student of the correct official to whom the request should be addressed.

Students have the right to request an amendment to the educational records that are believed to be inaccurate. They should write to the college official responsible for the record, clearly identify the part of the record they want changed and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

Definitions

1. “**Accused**” shall mean a person accused of a violation who has not yet entered an Institution's judicial or conduct process.
2. “**Advisor**” is any individual who provides the Victim/Survivor/Complainant or the Accused/Respondent/Referred Party with support, guidance, and/or advice. Both parties are permitted one advisor of their choosing to accompany them and assist them throughout the investigation and conduct process. An advisor may be a friend, parent, faculty, mentor, attorney, or any person they wish. The advisor will not be permitted to speak for them in the process or to have any role in the process other than to advise and assist them.
3. “**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.
 - A. 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.
 - B. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
 - C. Consent may be initially given but withdrawn at any time.
 - D. Consent cannot be given when a person is incapacitated, and a reasonable person knows or should have known that such person is incapacitated. Incapacitation 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.
 - E. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
 - F. When consent is withdrawn or can no longer be given, sexual activity must stop.
4. “**Appeal Board**” means any person or persons authorized by the Dean of Students to consider an appeal. This body shall consist of one student and two members of the faculty and staff. Every effort will be taken to include at least one faculty member. The Appeal Board can impose any of the sanctions set forth in Section 6, or any combination thereof, of this Code. Decisions will be made by a simple majority of the Board.

5. **“Business Days”** means Monday through Friday, except days that the College observes as Federal or State holidays.
6. **“Bystander”** shall mean a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.
7. **“Calendar Days”** means each day as shown on a calendar and includes Sunday through Saturday.
8. **“College”** means the State University of New York College at Potsdam.
9. **“College Official”** includes any person employed by the College, performing assigned administrative or professional responsibilities.
10. **“College Premises”** includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College including adjacent streets and sidewalks.
11. **“Confidentiality”** may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with Federal and State law. Licensed mental health counselors and medical providers are examples of college employees who may offer confidentiality.
12. **“Course of Conduct”** is defined as a pattern of actions composed of two or more acts over a period of time.
13. **“Dean of Students”** means the Chief Student Affairs Officer/Dean of Students, or designee, who, as the President’s designee, is responsible for the administration of the *Student Community Rights and Responsibilities*.
14. **“Director of Student Conduct &Community Standards”** means the person designated by the Dean of Students to administer the *Student Community Rights and Responsibilities*.
15. **“Faculty Member”** means any person hired by the College to conduct classroom and/or research activities.
16. **“Greek Organization”** means a group that identifies as a fraternity or sorority and/or uses a new member education process (pledging, training, probationary members, etc.).
17. **“May”** is used in the permissive sense.

18. **“Member of the College Community”** includes any person who is a student, faculty member, College official or any other person employed by or contracted with the College. A person’s status in a particular situation shall be determined by the Dean of Students.

19. **“Organization”** means any number of persons enrolled as students at the College who have complied with the formal requirements for College recognition/registration. Examples of these include, but are not limited to:

- a club that is recognized by SGA;
- a student program/club recognized by Campus Life;
- all student clubs/organizations registered through the office of Campus Life;
- an academic honor society;
- an ensemble through a department, a fraternity or sorority, etc.

While Greek Organization has a more specific definition, a Greek Organization also falls under this definition.

20. **“Policy”** is defined as the written regulations of the College as found in, but not limited to, the *Student Community Rights and Responsibilities*, Residence Hall License Agreement, and the Graduate and Undergraduate Catalogs.

21. **“Preponderance of the Evidence”** is the standard of proof used in all cases, which asks whether it is “more likely than not” that the violation occurred. If the evidence presented meets this standard, then the Accused/Respondent/Referred Party should be found responsible.

22. **“Privacy”** may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a Victim/Survivor/Reporting Individual/Bystander to a crime or incident more than necessary to comply with this and other applicable laws, including informing appropriate college officials.

23. **“Proceedings”** refers to the activities related to an institutional disciplinary complaint, including but not limited to, fact-finding investigations, formal or informal meetings, hearings, and appeals.

24. **“Reasonable Person”** refers to a hypothetical person who exercises average care, skill, and judgment in conduct and who serves as a comparative standard.

25. **“Referring Party”** shall mean a person who files a Student Conduct Referral against a student for an alleged violation of the *Student Community Rights and Responsibilities*.

26. **“Reporting Individual”** shall encompass the terms victim, survivor, complainant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report that they have personally experienced a violation.
27. **“Respondent/Referred Party”** shall mean a person accused of a violation of the *Student Community Rights and Responsibilities* who has entered an Institution's judicial or conduct process. They can also be referred to as the accused.
28. **“Results/Outcome”** means any initial, interim, and final decision by any College official or entity authorized to resolve student conduct matters within the institution. Students who are found responsible may face suspension or expulsion, and their transcript may be notated. Students that are placed on probation or suspension may be sanctioned to intervention services, restrictions from accessing college or community buildings, and educational programs.
29. **“Sexual Activity”** shall have the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3):

The term “Sexual Act” (18 U.S.C. 2246(2) means:

- A. contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
- B. contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- C. the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
- D. the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

The term “Sexual Contact” 18 U.S.C. 2246(3) means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

30. **“Sexual Misconduct”** is sexual harassment or sexual violence and encompasses a wide range of behavior for sexual purposes that is against another’s will or at the expense of another. Sexual misconduct includes, but is not limited to sexual assault, intimate partner violence, stalking of a sexual nature, or any conduct of a sexual nature that is nonconsensual, or has the effect of threatening or intimidating another.

31. “**Shall**” is used in the imperative sense.

32. “**Student**” is defined as:

- individuals registered for courses regardless of format/modality or educational site, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, as well as non-degree seeking students;
- individuals who confirm their intent to enroll in programs;
- individuals attending orientation sessions;
- individuals between consecutive academic terms;
- individuals taking online classes;
- individuals auditing classes;
- individuals residing in the residence halls;
- individuals that were enrolled on the date of an alleged incident; and
- individuals who are not officially enrolled for a particular term, but who have a continuing educational relationship with the College.

33. “**Student Conduct Administrator**” means any College official appointed by the Dean of Students to resolve student conduct referrals in lieu of a hearing or to review appeals.

34. “**Student Conduct Hearing Board**” refers to the authorized persons who hear student conduct referrals, including alleged violations of academic dishonesty. This body shall consist of one student and two faculty and staff members. Every effort will be made to include at least one faculty member. The Hearing Board can impose any of the sanctions set forth in the Section of this document entitled Sanctions, Temporary and Administrative Directives, and Notations, or any combination thereof, of this Code. Decisions will be made by a simple majority.

35. “**Student Conduct Referral**” means the College Student Conduct System Standard Case Form that includes a description of alleged misconduct and specific *Student Community Rights and Responsibilities* code violations.

36. “**Student Conduct System**” means the program established to maintain the integrity of the values of the College community by reviewing alleged violations of the *Student Community Rights and Responsibilities*.

37. “**Title IX**” of the Education Amendments of 1972 is a comprehensive federal law that protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. The law prohibits discrimination on the basis of sex in any federally funded education program or activity. Colleges must promptly respond to complaints of sexual harassment and sexual violence in a way that limits its effects and prevents its recurrence.

38. **“Title IX Coordinator”** ensures the campus community is aware of legal rights under Title IX; ensures campus community complies with Title IX policies, procedures, and regulations; provides education, training, and programming to campus community; takes immediate action to all reports of sexual discrimination, sexual harassment, sexual assault, dating violence, domestic violence, and stalking that are reported to non-confidential resources; ensures that both the victim/survivor and accused know their options and get help, resources, and services they need; conducts fair, equitable, and unbiased investigations while serving as a neutral fact finder for both parties, and is responsible under the law for tracking patterns and spotting systemic issues.
39. **“Unrecognized Organization”** means persons enrolled as students at the College who are associated with each other and who are not recognized as a collective grouping by a college entity or by Student Government Association. Unrecognized organizations are not permitted to participate, as an organization, in SUNY Potsdam sponsored activities. These organizations have committed severe and/or repeated violations of College policy and/or the law that have posed a significant threat to student health and safety.

Prohibited Conduct

The behaviors listed in this section violate the College's Student Code of Conduct. This list is not exhaustive but is intended to describe general types of behavior that may result in disciplinary action. These codes apply both to student behavior, which occurs on campus or at College-sponsored events as well as those occurring off-campus. Prohibited behavior includes not only completed actions, but also attempted violations of the Student Code of Conduct.

A student who withdraws from the College shall not be exempt from disciplinary proceedings for behavioral infractions, which took place prior to withdrawal. Campus disciplinary procedures shall be followed with the accused student receiving due notice of hearing. Any resulting sanction of suspension or dismissal will be notated on the undergraduate or graduate academic transcript, as well as the student's conduct record.

1. Fire Safety

- A. Causing or creating a fire, regardless of intent (except as authorized for use in class, or in connection with College-sponsored research or other approved activities).
- B. Tampering with safety measures or devices, including but not limited to, alarm systems, fire extinguishers, exit signs, emergency phone systems, smoke or heat detectors, fire hoses, security systems, locked exterior doors, etc.
- C. Failing to conform to safety regulations, including but not limited to, falsely reporting an incident, failure to evacuate facilities in a timely fashion in emergency situations or in response to fire alarms, inappropriate use of the fire alarm system.

2. Weapons and Dangerous Objects

Possessing or using any object or substance designed to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, switchblade knives, knives with blades five or more inches in length, explosives, fireworks or dangerous chemicals (except as authorized for use in class, or in connection with College-sponsored research or other approved activities). The term firearms includes pellet guns, air guns, rifles, shotguns, handguns, electronic control devices (e.g. tasers), paint ball guns, pellets, ammunition, multiple firing weapons, and any weapon capable of firing a shot.

NOTE: Possession of any rifle, shotgun or firearm in or upon any building or grounds of the College without written authorization from the President is also a crime under New York state law. Any person doing so without authorization is subject to arrest in addition to any penalty that may be assessed through the College's Student Conduct System.

3. Threatening or Abusive Behavior

Intentionally or recklessly causing physical harm to any person or reasonable fear of such harm. Students cannot justify such behavior as defensive if:

- A. The behavior is a physical response to verbal provocation;
- B. The student has the ability to leave the situation, but instead chooses to respond physically;
- C. In circumstances where such actions are punitive or retaliatory.

4. Harassment

Engaging in behavior that is sufficiently severe, pervasive, or objectively offensive that it unreasonably interferes with, denies, or limits an individual's ability to participate in or benefit from the College's education program and/or activities, and creates an academic environment that a reasonable person would find intimidating or hostile. Activity protected by the First Amendment will not constitute harassment. Harassment may include:

- A. directing unwanted conduct at an individual based on one or more of that person's protected characteristics or status, including age, color, race, disability, marital status, national/ethnic origin, religion, veteran's status, sex [including pregnancy], gender expression or gender identity, sexual orientation, political activities or genetic information; or
- B. subjecting a person or group of persons to unwanted physical contact or threat of such; or
- C. engaging in a course of conduct, including following the person without proper authority (e.g., stalking), under circumstances which would cause a reasonable person to fear for his or her safety or the safety of others or to suffer emotional distress.

5. Intimate Partner Violence

Intimate Partner Violence includes Dating Violence and Domestic Violence, both of which are further defined below. Intimate Partner Violence can occur in relationships of the same or different genders.

- A. Dating Violence – Any act of violence, including physical, sexual, psychological, and/or verbal violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Individual. The existence of such a relationship shall be determined based on the Reporting Individual's statement and with consideration of the type and length of the relationship and the frequency of the interaction between the persons involved in the relationship. Dating Violence can occur as a single act, or it can consist of a pattern of violent, abusive, or coercive acts that serve to exercise power and control in the context of a romantic or intimate relationship. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature;

however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship.

- B. Domestic Violence – Any violent crime committed by a current or former spouse or intimate partner of the Reporting Individual, a person sharing a child with the Reporting Individual, or a person cohabitating with the victim, as a spouse or intimate partner.

6. Stalking

Intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their personal safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy or alarm the person. Stalking does not require direct contact between parties and can be accomplished in many ways, including through the use of electronic media such as internet, pagers, cell phones, or other similar devices.

7. Endangerment

Acting to create or contribute to dangerous or unsafe environments anywhere on or off campus. Reckless or intentional acts, which endanger, or put at risk, the welfare of oneself or others are prohibited.

8. Sexual Harassment

- A. Sexual Harassment in the Educational Setting is any unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.
- B. Sexual Harassment in the Employment Setting is any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs: (1) submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant; or (3) such conduct is intended to interfere, or results in interference, with an employee's work performance or creates an intimidating, hostile, or offensive work environment.

9. Rape, Sexual Assault and Sexual Exploitation

- A. Sexual Assault I— sexual intercourse or any sexual penetration, however slight, of another person’s oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person’s body) without the affirmative consent of the victim.
- B. Sexual Assault II—touching a person’s intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the affirmative consent of the victim. Sexual Assault II also includes forcing an unwilling person to touch another’s intimate parts.
- C. Sexual Exploitation—Non-consensual, abusive sexual behavior that does not otherwise constitute Sexual Assault I, Sexual Assault II or Sexual Harassment. Examples include but are not limited to: intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and Sexually Transmitted Infection (“STI”) prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party; nonconsensual video or audio taping of sexual activity; allowing others to watch consensual or nonconsensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; distribution of non-consensual pornography (revenge porn); and inducing incapacitation with the intent to sexually assault another person.

10. Hazing

Any activity expected of someone that humiliates, degrades, abuses, or which endangers the mental, emotional, physical health, or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in an organization or team whose members are or include students at SUNY Potsdam is prohibited. Hazing may occur regardless of the person’s willingness to participate. (Note: A person commits a hazing offense if the person engages in hazing; solicits, encourages, directs, aids, or attempts to aid another engaging in hazing; or intentionally, knowingly, or recklessly permits hazing to occur.)

11. Academic Dishonesty

Conduct including, but not limited to, plagiarism, cheating, multiple submission, forgery, sabotage, unauthorized collaboration, falsification, bribery or use of purchased research service reports without appropriate notation; and theft, damage, or misuse of library or computer resources. Attempts to commit such acts shall also constitute academic dishonesty. Students assume full responsibility for honesty in academic exercises.

Students should be warned that if found in violation of academic dishonesty they may be subject to two types of actions. In addition to the student conduct system, if the instructor is convinced that the student has been dishonest, the instructor may administer an academic penalty. The

student who disagrees with the faculty member's judgment or penalty may appeal through established academic appeal procedures. Consult the appropriate department chair, school dean, or academic catalogs for details. At the same time, the student may be subject to the proceedings and sanctions of the Student Conduct System outlined in the *Student Community Rights and Responsibilities*.

12. Forgery, Fraud, Dishonesty

Altering or misusing documents, records, stored data or instrument of identification, or furnishing false information to any College, local, state, or federal official. This includes using another individual's College identification to gain access to College buildings or programs, including the campus fitness center, library services, copying services, etc., as well as on and off campus use of the Bear Express account.

13. Property Damage

- A. Removing, destroying or damaging College property, or property under College administration or supervision.
- B. Destroying or damaging the property of others, on or off-campus.

14. Theft

Stealing property and/or services; possessing stolen property.

15. Unauthorized Entry or Use

Entering or using facilities or property on or off-campus, belonging to individuals, College-recognized groups, and/or corporate entities without proper authorization. Students are not authorized to be in College buildings after normal operating hours unless it is for a campus event that received proper approval through campus policies and procedures.

16. Drugs

Consistent with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), possessing, using, or distributing a controlled substance or dangerous drug, or any drug unlawful to possess, e.g. cannabis, except as expressly permitted by law is prohibited. Drug paraphernalia including, but not limited to: bongs, water pipes, or hypodermic needles that are not specifically required for the administration of prescribed medications are not allowed on campus. Use of legal medication outside the parameters of the medical authorization is prohibited and prescription drugs on campus must have an authentic medical prescription.

17. Alcohol

Consistent with New York State Law, individuals under the age of 21 years are prohibited from using, possessing, or distributing alcoholic beverages. Individuals over the age of 21 may use and possess alcohol as permitted by the law and College regulations. Open containers and public intoxication are prohibited. Students who are irresponsible in their use of alcohol or who provide alcohol to minors will be subject to this Code regardless of the student's age. This applies to both on campus and off-campus behavior.

18. Obstruction or Disruption

Any obstructing or disruption of College activities. Such activities include, but are not limited to, teaching, research, administration, disciplinary procedures, or other authorized activities including public service functions. It can include participation in campus demonstrations which disrupt the normal operations of the College and infringes on the rights of other members of the College community by leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

19. Student Group Violations

Students are expected to know and abide by the regulations governing their membership in a student organization (e.g. SGA recognized groups, Campus Life recognized groups, Greek Organizations, etc.).

All violations of College policy and the law by officers/members of student groups/organizations will be adjudicated through the Student Conduct System including both individual and organizational violations.

Prohibited conduct by officers/members of student groups and organizations may result in a referral to the Student Conduct System for individual students.

Full policies are available by contacting the Campus Life Office, Barrington Student Union 208 or 315-267-2013.

20. Compliance

Failing to comply with the directions of an authorized local, state, federal or College official acting in the performance of his or her duties, or any other person responsible for a facility or registered function acting in accordance with those responsibilities. Students are expected to carry their college-issued identification/SUNY Card at all times and to present it upon request to any college officials including student staff.

21. Parking and Motor Vehicle Violations

Violating College policies and regulations governing the possession or use of motor vehicles on campus. College parking regulations are available at:

<http://www.potsdam.edu/studentlife/safety/parking>. University Police has the ability to fine or withdraw the right to use a vehicle on campus in addition to or in lieu of sanctions imposed through the campus Student Conduct System.

22. Smoking/Tobacco Use

SUNY Potsdam is a 100% tobacco free campus. Tobacco use of any kind is prohibited on campus, at extension campuses, at all indoor and outdoor events, and in all vehicles and equipment owned, leased or operated by the college. This includes electronic smoking device/electronic cigarettes, electronic aerosol delivery systems, and smokeless tobacco. Sale of tobacco products on campus is prohibited. The college will not accept advertising, marketing, distribution, or promotion of tobacco or electronic cigarette / electronic aerosol delivery device products. (<https://www.potsdam.edu/sites/default/files/TobaccoPolicy.pdf>).

23. Residence Hall Regulations/ Published Institutional Rules

Failure to abide by any College policies, including the Residence Hall policies as defined in the terms and conditions of the Residence Hall License. See the “Common Campus Policies”, “Campus Life Policies” and “Residence Hall Living” sections of this document for additional information.

24. Disruptive Conduct

Impairing, interfering with or obstructing the orderly conduct, processes and functions of the College or surrounding community. This behavior includes, but is not limited to, excessive noise, abusive or obscene language in a public place, obstructing vehicular or pedestrian traffic and boisterous or threatening conduct, which is unreasonable in the area, time, or manner in which it occurs.

25. Information Technology Acceptable Use Policy

Violations of this policy are subject to referral to the Office of Student Conduct and Community Standards: <https://www.potsdam.edu/cts/policiesforms/acceptableuse>.

26. Hate or Bias-Related Offense

Intentionally selecting a person against whom a criminal offense is committed or intended to be committed because of a belief or perception regarding the race, color, national origin, ancestry, gender identity or expression, religion, religious practice, age, disability, or sexual orientation, regardless of whether the belief or perception is correct.

Note: A student who is found to be responsible for committing a hate or bias-related offense may be subject to a more severe sanction than would be imposed in the absence of such motivation.

27. Gambling

Gambling, including, but not limited to, contests of chance, illegal lottery and policy or “numbers games” for money or something of value; promoting or advancing gambling; gambling using College computing/network facilities; possessing gambling devices or gambling records is prohibited.

28. Abuse of the Student Conduct System

Abusing the Student Conduct System, including but not limited to:

- A. Failure to obey the request of a Student Conduct Hearing Board or College official.
- B. Falsification, distortion, or misrepresentation of information before a Student Conduct Hearing Board.
- C. Disruption or interference with the orderly conduct of a student conduct proceeding.
- D. Knowingly instituting a student conduct referral without cause.
- E. Attempting to discourage an individual’s proper participation in, or use of, the Student Conduct System.
- F. Attempting to influence the impartiality of a member of a Student Conduct Hearing Board prior to, and/or during, and/or after a student conduct proceeding.
- G. Harassment (verbal or physical) and/or intimidation of any involved in the student conduct process including a reporter of a possible student conduct violation, a witness to the alleged violation, an advisor, or a member of a Student Conduct Hearing Board prior to, and/or during, and/or after a proceeding.
- H. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- I. Influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

29. Retaliation

Retaliation is an adverse action against another person for reporting a violation or for participating in any way in the investigation or conduct process. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying. Any individual who participates in any of the sexual harassment or sexual violence reporting procedures has the right to do so without fear of or actual retaliation. Retaliatory behavior by someone, or anyone acting on their behalf, against anyone whom they may believe have cooperated in the investigation and/or conduct process is strictly prohibited and may result in disciplinary action.

30. Violation of the Law

Violation of any local, state, or federal law and/or regulation established by the Board of Trustees of the State University of New York is prohibited.

31. Greek Policies Related to Alcohol and Other Drugs

- A. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity or sorority event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity or sorority:
 - I. Must be in compliance with any and all applicable laws of the state, province, county, city, and institution of higher education, and
 - II. Must comply with either the BYOB or Third-Party Vendor Guidelines.
 - i. Sponsorship and endorsement may include the contribution of funds, supplies, food, or management of the event or significant portion of membership in attendance.
 - ii. There is increased potential for responsibility where alcohol is present at an event.
 - iii. BYOB (Bring Your Own Beverages) is the process where members or guests bring their own individual supply of a beverage for personal consumption. BYOB is not the use of a common source of alcohol provided by any members, alumni, guests, or co-sponsors such as cases of beer, bottles of alcohol, kegs, party balls, etc.
 - iv. Third-Party Vendor use applies to situations in which the organization contracts a licensed purveyor of alcohol in a bar, dance hall, drinking establishment, hotel,

restaurant, etc., or by inviting a catering company to the organization's or co-sponsor's location.

v. The organization may pay for:

(1) The vendor employee salaries.

(2) Set up costs excluding any purchase of alcohol.

(3) Facility rental.

vi. Events with a Third-Party Vendor maintain that individuals of age will pay for their own drinks on a cash per drink basis only.

vii. There may not be "all you can drink" nor "discount" rates by way of chapter subsidy or by gift of the vendor.

- B. No alcoholic beverages may be purchased through or with chapter funds, nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
- C. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity or sorority, without specific invitation, where alcohol is present, are forbidden.
- D. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).
- E. The possession, sale or use of any **ILLEGAL DRUGS** or **CONTROLLED SUBSTANCES** while on chapter premises or during a fraternity/sorority event or at any event that an observer would associate with the fraternity/sorority is strictly prohibited.
- F. No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third-party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.

- I. An organization may have events with a bar or drinking establishment, but without the use of advertisement, and only within a controlled setting regarding guests and Third-Party Vendor guidelines.
 - II. The sale of tickets to an event, such as a band, may not be coordinated at the event, may not be used to pay the vendor, and must be paid to the entertainment prior to the event and separate from any situation where alcohol is present. Such events must still remain restricted and careful sale of tickets may only be to those determined by the guest list.
 - III. The organization may not advertise for an event using the name of an alcohol vendor or information about the presence of any alcohol whether it is BYOB or using a Third-Party Vendor.
 - IV. All financial transactions with the vendor must take place prior to the event and not involve alcohol purchase or subsidy.
- G. No chapter may co-sponsor, co-finance, or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
- H. All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
- I. No member or pledge, associate/new member, or novice shall permit, tolerate, encourage, or participate in "drinking games."
- J. No alcohol shall be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes, but is not limited to, activities associated with "bid night," "big brother/big sister night," and initiation.
- K. All Greek organizations must abide by all College documents, policies and procedures, including, but not limited to the New Member Handbook and the Fraternity and Sorority Recognition and Governance statement.

Student Conduct Procedures

1. Introduction

The Student Conduct System addresses charges that are brought against a student or organization that allegedly violates the Student Code of Conduct, *Student Community Rights and Responsibilities*. The Student Conduct System utilizes a “preponderance of evidence” standard of proof. A preponderance of evidence standard evaluates whether it is more likely than not that a violation occurred.

2. Referrals

- A. When an incident occurs and there are allegations that a student violated the Code of Conduct, a complaint may be filed by any College faculty, staff, and/or student.
- B. The Referring Party will be asked to put the allegations of misconduct in writing with sufficient detail to support a Student Conduct Referral. Any complaint should be submitted as soon as possible after the event takes place, preferably within the academic year in which the alleged infraction took place. While timeliness is preferable, there is no deadline by which a complaint must be filed as long as the Referred Party is a current student at the College.
- C. When a complaint is received, the Student Conduct Administrator will review the complaint, may meet with other individuals involved, and will then make a determination regarding whether or not the complaint has merit to move forward to a Student Conduct Referral.
- D. If there is an allegation of misconduct that the Student Conduct Administrator has determined has merit, the Referred Party will:
 - I. Be notified via College email that a complaint has been filed against them;
 - II. Have an opportunity to meet with a Student Conduct Administrator to review the Student Conduct Referral and learn of the possible code violations;
 - III. Learn about the student conduct process and have questions answered;
 - IV. Have an opportunity to give their perspective about the incident;
 - V. Provide witness information, if applicable;
 - VI. Review possible outcomes and sanctions; and

VII. Receive a copy of the Student Conduct Referral which includes a description of alleged misconduct and specific *Student Community Rights and Responsibilities* code violations.

- E. After the Referred Party has received a copy of the Student Conduct Referral, the Referred Party has the option to take up to three (3) calendar days to review the Student Conduct Referral and decide whether or not to accept responsibility for the charges.
- F. After three (3) calendar days, the Referred Party must communicate their decision to the Student Conduct Administrator. The Student Conduct Administrator will determine the manner in which the case will be resolved and will communicate this to the Referred Party.
- G. Multiple incidents may be resolved with one Student Conduct Referral at the discretion of the Student Conduct Administrator.
- H. A student or recognized organization who withdraws from the institution prior to an outcome of a pending conduct case should understand that the investigation may continue without the student's participation and the student/organization can still be found responsible for the violation. Withdrawal from the institution will not protect a student from possible criminal or civil action(s).

3. Resolutions

Resolutions are the manner in which student conduct cases are resolved. A description of each type of resolution follows:

A. Administrative Agreement

I. Sanction Agreement

The Referred Party acknowledges responsibility for violating the Code of Conduct and resolves the case with a Student Conduct Administrator by agreeing to an appropriate disciplinary sanction. An application to appeal may not be filed, except for cases of Sexual Misconduct, where the Reporting Party may appeal.

II. Imposed Sanction

If the Referred Party does not wish to accept responsibility and/or an appropriate sanction from the Student Conduct Administrator, but the preponderance of evidence standard has been met, a finding of responsibility and a sanction(s) will be imposed. A sanction may also be imposed if the student fails to attend a scheduled meeting with the Student Conduct Administrator. The Referred Party maintains the right to file an application to appeal.

Imposed sanctions may only be applied in cases where sanctions will not result in removal from residence hall, suspension or dismissal.

B. Hearing before a Student Conduct Hearing Board

A hearing will be scheduled when the Referred Party is facing removal from on-campus housing, suspension and/or dismissal from the College or at the discretion of the Student Conduct Administrator. A Student Conduct Administrator may serve as the Referring Party at a Student Conduct Hearing. The Director of Student Conduct and Community Standards will make every effort to schedule hearings around students' academic schedules only.

Hearings are conducted as follows:

I. The Referred Party and Referring Party:

- i. Will receive written notice of a hearing date, time and place at least 5 calendar days in advance;
- ii. May have one advisor present. The advisor may not address the Student Conduct Hearing Board but may speak privately with the advisee during the proceedings;
- iii. Will hear the description of incident and conduct charges (the Referred Party will then make a plea of responsible or not responsible for the charges);
- iv. Have the opportunity to make an opening statement;
- v. Have the right to call witnesses who have direct knowledge of the incident; (Character or expert witnesses are not permitted in the hearing; a maximum of two (2) character letters or letters of reference may be submitted for consideration by the Hearing Board before the imposition of sanctions.)

- vi. Have the opportunity to ask questions of each other and their witnesses;
 - vii. May be questioned by the Student Conduct Hearing Board.
 - viii. Have the opportunity to make a closing statement.
- II. The Student Conduct System encourages student involvement in the conduct proceedings and relies on full and open discussion of cases with all parties concerned in order to render a fair judgment. As such the Referred Party must represent themselves. The Student Conduct System is administrative in nature and, as such, is not considered a court of law where formal rules of process, procedure or technical rules of evidence apply.
 - III. Referrals involving multiple students for the same incident may be resolved at one hearing.
 - IV. Hearings are regarded as confidential and closed to all but the principals of the case, their witnesses, their advisors, the Director of Student Conduct and Community Standards and staff members operating technology to support the hearing. Student Conduct Hearing Board members in training may observe.
 - V. An official recording will be made of the proceedings. This recording is the property of the College and will not be duplicated or released. Participants are prohibited from making their own recording during the hearing (including but not limited to audio, photographic and/or written recording). The Referred Party and Referring Party may submit a written request to the Director of Student Conduct and Community Standards for permission to listen to the official audio recording in a supervised location on campus. An official redacted written transcript can be provided by the College at the requesting party's expense.
 - VI. Evidence and witnesses to be presented by the Referring Party and Referred Party during any hearing on the charges must be submitted to Community Standards at least two (2) business days in advance of the scheduled hearing. This evidence and witness names will be shared with the opposing party. The Student Conduct Hearing Board may exclude evidence or witnesses that have not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The Chair of the Student Conduct Hearing Board will make the final decision related to the admissibility of all evidence and witnesses.

- VII. It shall be the responsibility of the Student Conduct Hearing Board to determine the relevancy of testimony and written evidence.
- VIII. Should the Referred Party or Referring Party fail to appear for a scheduled hearing, a finding will be made based upon the information available and sanction(s) imposed, if appropriate.
- IX. The primary function of any Student Conduct Hearing Board is to determine, by simple majority, using a preponderance of evidence standard, whether the Referred Party has violated the provisions of the *Student Community Rights & Responsibilities* and if so, determine an appropriate sanction.
- X. The Respondent/Referred Party will be notified, in writing, of the final decision of the Student Conduct Hearing Board and of the right to appeal. Consistent with the provisions of the Family Educational Rights and Privacy Act (FERPA) regulations, and in cases involving sexual offenses or crimes of violence, the Reporting Individual will be notified of the final decision of the Student Conduct Hearing Board. In cases involving sexual offenses, the Reporting individual also has the right to appeal the decision of the Student Conduct Hearing Board.
- XI. The Referred Party's status at the College is not altered until the appeal decision is final. In certain cases, however, the Dean of Students may determine that the Referred Party's presence is a threat to the College community and uphold the sanction imposed by the Student Conduct Hearing Board until the appeal is final.

C. Alternative Dispute Resolution

- I. Developmental Discussion: A informal meeting with a student for minor behavioral infractions and/or prohibited conduct violations that are not formally referred through the conduct process. The meeting is followed by a written notice to the student indicating that the student's behavior is counter to the expectations outlined in the Student Code of Conduct and may result in the issuance of an administrative directive to the student, parental notification, or a requirement that the student participate in Educational Programs & Services.
- II. Mediation is a voluntary process that requires the commitment of all parties. It is appropriate when a violation arises out of a dispute between students. It is generally reserved for first time and less serious violations. The goal is to reach a written agreement to resolve the dispute and to prevent it from reoccurring. A Student Conduct Administrator will act as the mediator and will retain a record of the mediation efforts and the mediation agreement. If the parties fail to live up to the

agreed settlement, or if mediation attempts fail to reach an agreement, a referral will be processed.

D. Procedures for Organizational Hearings

Hearing for organizations will follow the same procedure as hearing for individual students as described in: “Student Conduct Procedures.” Additional guidelines for organizational hearings are as follows:

- I. The organization’s President or designee and no more than 2 other organization members shall represent the organization charged throughout the conduct process. All representatives/designees must be current SUNY Potsdam students. The organization may have one advisor.
- II. SUNY Potsdam may choose to share information with affiliated alumni, affiliated students, and the advisor of the organization. The organization can share information with members and alumni as it relates to the hearing.
- III. The past history of an organization will not be admissible in a hearing except in the following cases.
 - i. A representative for the organization presents false information during the hearing about the organizations’ past conduct and/or other history.
 - ii. If, in the past, the organization charged was found to have violated a similar policy (“Past Violation”), the information related to the Past Violation may be considered if:
 - (1) The Past Violation was substantially similar to the present complaint; and
 - (2) The Past Violation indicated a pattern of behavior and substantial conformity with that pattern by the organization charged.
- IV. Should there be a need for sanctioning, the Director or Assistant Director of Campus Life will work with the hearing board to ensure the sanctions are appropriate and educational.

Note: In the case of Greek-affiliated hearing and appeal boards, every effort will be made to ensure that at least one member of the Hearing or Appeal Board is/was affiliated with a Greek community either at SUNY Potsdam or at their previous institution. While the College will work towards this goal, it is not absolute, and the

hearing or appeal will proceed even if there are no Greek-affiliated hearing or appeal board members available at the scheduled time.

4. Accommodations

Students with documented disabilities who are involved in the student conduct process may seek reasonable accommodations for any stage of the student conduct process. Any student requesting accommodations will be referred to the Office of Accommodative Services.

5. Good Samaritan Policy and Medical Amnesty Policy

At SUNY Potsdam the health and safety of the members of the community is of primary importance and all students are strongly encouraged to be active bystanders who respond in potentially dangerous situations without fear of reprisal from the College. This policy is intended for use in isolated situations and does not excuse or protect those who flagrantly and frequently violate College policy. The purpose of this policy is to increase the likelihood that medical attention is provided to students who need it due to alcohol intoxication or use of drugs by removing impediments to seeking such assistance.

- A. Good Samaritan Policy: The spirit of the Good Samaritan is that we all have an ethical responsibility to help people in need. The College expects that students will take an active role in protecting the safety and well-being of their peers and the College community. In order to promote this, when a student assists an individual who is intoxicated or under the influence of drugs in procuring medical assistance, that student may be granted amnesty from formal disciplinary action by the College for violating the alcohol or drug policies. The caller may be required to meet with the Director of Student Conduct or the Campus Health Educator to discuss the incident.
- B. Medical Amnesty Policy: When a student is intoxicated or under the influence of drugs and seeks medical assistance, they may be granted amnesty from formal disciplinary action by the College for violating the alcohol or drug policies. Upon receiving a report that a student needs medical assistance, College staff will respond through University Police to obtain EMS services, and responding officials will use standard procedures for documenting information and collecting identification of all persons involved. Student Conduct charges will be deferred and will be dismissed upon successful completion of any recommended alcohol and/or drug intervention. Failure to successfully complete the recommended alcohol and/or drug program may result in student conduct action.
- C. Upon receipt of an incident report/police report, in regard to an alcohol or drug transport, the following will occur:

- I. The student may be required to obtain an alcohol or drug assessment from the College Health Educator or an off-campus resource. If assessment is required, a copy of the assessment report will be sent to the Director of Student Conduct.
- II. A second transport may not invoke the above Good Samaritan Policy or Medical Amnesty Policy. These policies apply to incidents both on and off campus.

These policies do not remove the possibility of other related criminal charges, per state and federal law.

Sanctions, Temporary and Administrative Directives and Transcript Notes

Failure to comply with sanctions and directives is a violation of College policy subject to additional conduct charges.

1. Sanctions

A sanction is a requirement or status that is imposed as a result of either accepting responsibility or being found responsible for violating the Student Code of Conduct, *Student Community Rights and Responsibilities*.

Sanctions are determined by the seriousness of the code violation and the total conduct record of the student and are not necessarily progressive. Each case is determined on its own merits. Student conduct outcomes are intended to find a balance between the interests of the individual student and of the community. For example, a student with no prior disciplinary record may be assigned a sanction commensurate with the offense up to and including removal from residence, suspension or dismissal. Failure to complete a sanction may result in a hold being placed on a student's transcript preventing the student from registering.

A. Verbal Conduct Warning

A verbal notice to a student that the behavior is counter to the expectations in the Student Code of Conduct. A Verbal Conduct Warning is issued for low-level behavior infractions. This is not considered a formal sanction, rather an understanding between the student conduct administrator and student with the expectation that the student modifies future behavior.

B. Written Conduct Warning

This is a lower-level sanction issued as a result of a formal Student Conduct Referral. This serves as a strong notice to a student that the behavior is counter to the expectations in the student code of conduct.

C. Disciplinary Probation

This is a higher-level sanction issued as a result of a formal Student Conduct Referral that does not compromise a student's housing or their status as a student. Disciplinary Probation generally lasts fifteen (15) weeks (while classes are in session) but may last as long as two semesters and includes all the restrictions of the Written Conduct Warning. This is an official notice that advises that the student may risk separation from the college if there are any further violations.

D. Terminal Disciplinary Probation

This is issued as a result of a formal Student Conduct Referral and is imposed for serious violations or a pattern of violations of the Student Code of Conduct. A student is placed on Terminal Disciplinary Probation for a specified period to include until Graduation based on the violation. Terminal Disciplinary Probation may last from one (1) to eight (8) semesters.

Having an active Terminal Disciplinary Probation status can affect your ability to hold positions with campus offices and/or organizations and other campus opportunities.

E. Removal from Residence

Students who have a serious violation of the community standards outlined in the Student Code of Conduct or the residence license, or because of a series of breaches of the community standards in the Residence Halls will be asked to leave campus residence either permanently or for a period of time. This sanction carries with it the penalty of forfeiting room and board charges for the semester in which the disciplinary action occurs. Depending on the nature of the incident, the student may also receive disciplinary probation as part of this sanction.

F. Deferred Suspension

This sanction is imposed when the hearing officer/board has found the student(s) responsible for a violation sufficient to warrant suspension but feels there are mitigating circumstances that warrant one final chance. Deferred suspension may last from one (1) to eight (8) semesters. Being found responsible for another violation during the period of deferred suspension, no matter how minor, will result in immediate suspension.

G. Disciplinary Suspension

A student who is suspended from the College is unable to register for and attend classes or to be present on College property for a prescribed period of time. Suspension is a severe sanction and the student forfeits tuition and fees along with room and board if a residential student and does not receive academic credit for the semester in which the suspension occurred. Students who are Disciplinarily Suspended and wish to return to the College must first meet with The Director of Student Conduct and Community Standards to assess their readiness for readmission. Students who are Disciplinarily Suspended with conditions and who wish to return to the College must meet with The Director of Student Conduct and Community Standards to verify the successful completion of the conditions. Disciplinary Suspension can last for one (1) to (4) semesters.

H. Deferred Disciplinary Dismissal

This sanction is imposed when the hearing officer/board has found the student(s) responsible for a violation sufficient to warrant dismissal but feels that there are mitigating circumstances that warrant one final chance. Being found responsible for another violation during the period of deferred dismissal, no matter how minor, will result in immediate dismissal. Deferred disciplinary dismissal may last from one (1) to eight (8) semesters.

I. Disciplinary Dismissal

A student who is dismissed (expelled) from the College is permanently separated from the community, prohibited from being on any property of the College and may never return to the institution. The student forfeits tuition and fees along with room and board if a residential student, as well as the academic credit for the semester in which the dismissal occurred.

J. Residence Hall or Campus Restriction

A student may be restricted from being present in any or all of the residences, buildings or grounds on campus if it is reasonably believed that the student poses a threat to the health or safety of the campus community. Other restrictions may be imposed such as denial of access to specified campus services or programs. A student may also be barred from the entire campus if the student conduct hearing officer/board reasonably believes the student poses a threat to the health, safety or well-being of the College community.

K. Restitution

If College property is damaged, the appropriate College department and/or personnel will make an assessment of the damage. The responsible student(s) may be billed as appropriate. Restitution for personal property cannot be resolved via the Student Conduct System.

L. Educational Programs & Services

Educational Programs & Services such as Alcohol Education Programs, Drug Education Programs, Community Service, By-Stander Intervention Programs, reflection or research papers, etc., may be used to supplement any other student conduct sanction. It is the sole responsibility of the student to bear any costs associated with these sanctions.

2. Temporary Directives

A. Temporary Suspension

The Director of Student Conduct & Community Standards or designee may take action immediately to suspend a student from the College and remove the student from campus when, in consultation with the Dean of Students, there is reasonable belief that the continued presence of such student would constitute a danger to the safety of persons or property. The Director of Student Conduct or designee may also temporarily suspend an organization and/or the activities of an organization for an interim period pending conduct charges and proceedings. The suspension is temporary pending the resolution of the student's or organization's Conduct Referral as outlined in the Student Conduct Procedures of the *Student Community Rights & Responsibilities*.

B. Temporary Removal from Residence or Reassignment

When the Director of Student Conduct & Community Standards or his/her designee, when in consultation with the Dean of Students and the Director of Residence Life, reasonably believes that the behavior of a resident student significantly detracts from the educational environment of the residence hall or constitutes a danger to the safety of other persons or property in the residence hall, the Director may temporarily reassign the student to another residential space or remove the student from campus housing and restrict the student from the buildings and grounds of the residential complexes. The removal is temporary pending the resolution of the student's Student Conduct Referral as outlined in the Student Conduct Procedures of the *Student Community Rights & Responsibilities*.

3. Administrative Directives

A. No Contact Order

A written directive prohibiting certain behaviors with a protected individual, either directly in person, by telephone, email, text message, or other electronic means of communication, or through a third party (other than an attorney). If the Accused/Respondent/Referred Party and a Protected Person observe each other in a public place, it is the responsibility of the Accused/Respondent/Referred Party to leave the area immediately and without directly contacting the protected person.

B. Cease & Desist

A written directive to both parties prohibiting contact with each other, either directly or through a third party or directive to prohibiting one or both parties from engaging in a specific behavior.

C. Residence Hall or Campus Restriction

A student may be restricted from being present in any or all of the residences, buildings or grounds on campus if it is reasonably believed that the student poses a threat to the health or safety of the campus community. Other restrictions may be imposed such as denial of access to specified campus services or programs. A student may also be barred from the entire campus if the Dean of Students, Director of Student Conduct or designee in consultation with the Dean of Students, reasonably believes the student poses a threat to the health, safety or well-being of the College community.

4. Transcript Notations

At the conclusion of the appeals process, a student who has been suspended or expelled for any violation of the Student Code of Conduct including but not limited to behavior that leads to the death or serious physical injury of another person, hazing, physical abuse, sexual misconduct, and, per New York State Education Law Article 129B, conduct that constitutes a crime of violence (including but not limited to sexual assault) as defined in the Clery Act will have a permanent notation placed on the student's official college transcript indicating the disciplinary suspension or expulsion. If a student withdraws from the institution while such a disciplinary matter is pending, a transcript notation will indicate that the student withdrew with student conduct charges pending.

The following transcript notations are used by SUNY Potsdam:

- A Temporarily suspended (date) pending code of conduct hearing
- B Withdrew with conduct charges pending (date)
- C Suspended after a finding of responsibility for a code of conduct violation (date) to (date)
- D Expelled after a finding of responsibility for a code of conduct violation (date)

Transcript notations for a student who is suspended or who chose to withdraw with a pending conduct investigation will remain on a transcript for a minimum of one year. After one year's

time, a student may request to have the transcript notation removed by filing an appeal with the Dean of Students or designee.

Transcript notations for students expelled are permanent and cannot be removed.

If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Other disciplinary records maintained by the Office of Student Conduct and Community Standards are not reflected upon a student's academic transcript but are maintained in the Office of Student Conduct and Community Standards in accordance with college policy.

To file an appeal to have the transcript notation removed from an academic transcript a student must submit in writing to the Dean of Students or designee evidence of rehabilitation or other good cause for the transcript notation removal.

Students who withdrew from the College prior to resolution of the conduct process will need to fulfill the sanctions found in absentia before being permitted to appeal.

Appeal decisions will be provided in writing within thirty (30) calendar days of submission.

Student Conduct Appeals

An appeal is the process to request a review of the original student conduct outcome. The Respondent/Referred Party has the right to submit one application for appeal to the Director of Student Conduct and Community Standards. In cases of Sexual Misconduct, both parties have the right to appeal. An appeal does not rehear a student conduct case, but rather, determines if the conclusion reached in the original case is valid based on substantiation of a procedural error, new evidence, or the severity of the sanction.

Note: Student conduct cases that are resolved through Administrative Resolution: Sanction Agreement are not eligible for appeal, except for cases of Sexual Misconduct.

1. Appeal Grounds

An application for appeal may only be filed on the grounds below and must meet at least one of the three standards to be considered for appeal.

- A. **Procedural Error:** Procedural error occurs when the policies outlined in *Student Community Rights and Responsibilities* are not followed, and as a result, the outcome of the case was significantly impacted. A procedural error and its impact on the case outcome must be clearly described in the appeal.
- B. **New Evidence:** This refers to new evidence that was unavailable during the original hearing or investigation that could significantly affect the original finding or sanction. A summary of the new evidence and its potential impact must be included. This does not include information available but not disclosed at the Student Conduct Hearing by choice (i.e., opting not to disclose information for any reason).
- C. **Sanction Severity:** A sanction imposed as a result of the original student conduct hearing that is significantly disproportionate to the severity of the offense for which the Respondent/Referred Party has been found responsible may be appealed. Evidence must show that the sanction is inappropriate based on the infraction.

2. Appeal Procedure

- A. An application for appeal must be submitted electronically within seven (7) calendar days of receiving the decision letter via College email. Instructions on how to file an application for appeal are provided in the decision letter. Applications for appeal may not be submitted by a third party.

- B. Applications for appeal are reviewed by the Dean of Students or their designee to determine if the appeal was submitted timely for appeal and meets the grounds for at least one of the three grounds for appeal. The original decision and sanction will stand if the appeal is not timely or does not meet the grounds for appeal, and the decision is final. In the case of a conflict of interest, the Dean of Students will designate another College official to make the determination.
- C. If the application is timely AND meets at least one of the Appeal Grounds, an Appeal Board will review the appeal.
- D. Appeal outcomes are determined based on the Respondent's approved written application for appeal and the rationale of the original Student Conduct Hearing Board. An Appeal Board may review the original Student Conduct Hearing Board materials (evidence submitted, hearing transcript, etc.). A simple majority will make the Appeal Board's decision. An Appeal Board may uphold the decision of the Student Conduct Hearing Board, overturn the decision of the Student Conduct Hearing Board, or decide that the case should have a new hearing in front of a different Student Conduct Hearing Board. In addition, the Appeal Board can keep the existing sanctions or modify them to be more or less severe than the original sanction(s).
- E. Appeal findings shall be reviewed by the Dean of Students or designee before the final decision is communicated. A written notification of the appeal decision will be made via College email within 30 calendar days. This decision is final.

3. Appeals of Cases of Sexual Misconduct

In cases involving sexual misconduct charges, both parties will receive written notification of the Student Conduct Hearing Board's decision and either party can then submit an application for appeal within seven (7) calendar days according to the procedures described above under "Student Conduct Appeals."

If one party submits an application for an appeal, the non-requesting party will receive notice that an appeal was submitted and may then submit either their own appeal or a written response to the requesting party's appeal within seven (7) calendar days of the notification. If both parties appeal, the appeals will be considered concurrently. The appeal(s) shall be considered in accordance with the "Student Conduct Appeal Procedure." Both parties will be notified of the appeal decision within thirty (30) calendar days of the last appeal received, and the decision is final.

Appointment of Student Conduct Hearing and Appeal Boards

All members of the Student Conduct Hearing Board and Appeal Boards shall be appointed by the Director of Student Conduct and Community Standards.

1. The Director of Student Conduct & Community Standards will select Student Conduct Hearing Boards and Appeal Board members who are capable of adjudicating cases in a fair, knowledgeable, and impartial manner.
2. Student Conduct Hearing Board and Appeal Board members will possess or receive the necessary education and training regarding the subject matter of cases they will be adjudicating. Training will minimally be done annually. Members of Title IX Hearing Boards are also required to receive annual training on trauma-informed investigations. More information about training can be found online at <https://www.potsdam.edu/current/student-conduct-community-standards/hearing-board-members-and-advisors>
3. The Director of Student Conduct & Community Standards shall choose from a list of currently trained Student Conduct Hearing Board members and Appeal Board members.
4. Student Conduct Hearing Board members and Appeal Board members who are unable to be impartial for whatever reason shall disqualify themselves.

Cases of Sexual Misconduct

Introduction

This section outlines the policy and procedures that will be followed for all cases of sexual misconduct in addition to procedures described in the Student Conduct Procedures section of this document. There is also a great deal of additional information and resources on the College's Title IX web page: <https://www.potsdam.edu/about/safety/title-ix>.

Cases that are determined to fall under the definitions of Title IX will be processed using the Grievance Policy for Addressing Formal Complaints of Sexual Harassment under Title IX regulations: <https://www.potsdam.edu/about/safety/title-ix/policies-procedures>. All other cases will follow the procedures outlined below and in the Student Conduct Procedures section of this document.

The College's Sexual Harassment Response and Prevention Policy can be found: <https://www.potsdam.edu/sites/default/files/inline-files/SexualHarassmentPolicy.pdf>.

In the event that there is a conflict between any procedures set forth in this section with any procedures described in any other portion of this Code, the procedures set forth in this section will control for cases of sexual misconduct.

Compliance with any of the below listed provisions does not constitute a violation of Section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

The burden of proof in all sexual misconduct cases is a "preponderance of the evidence" - whether it is "more likely than not" that, the sexual misconduct occurred. If the evidence meets this standard, then the Accused/Respondent/Referred Party MUST be found responsible of a violation of this Code.

Students' Bill of Rights

The State University of New York and SUNY Potsdam are committed to providing options, support and assistance to members of our community that are affected by sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad. All students have a 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 judicial or conduct process and/or criminal process free from pressures from 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 institutional representatives as practical and not be required to unnecessarily repeat a description of the incident;
8. Be free from retaliation by the institution, the Accused /Respondent/Referred Party, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a Complainant/Reporting Individual or Accused/Respondent/Referred Party throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

Alcohol and/or Drug Use Amnesty Policy for Sexual Misconduct Cases

The health and safety of every student at the State University of New York and its State operated and community colleges is of utmost importance. SUNY Potsdam 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 occurs may be hesitant to report such incidents due to fear of potential consequences for their own

conduct. SUNY Potsdam strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SUNY Potsdam officials or law enforcement will not be subject to SUNY Potsdam's 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, or sexual assault. Students may be referred for educational counseling.

Student Conduct Process in Cases Involving Sexual Misconduct

1. Victims/Survivors/Reporting Individuals have the right to request that student conduct charges be filed against the Accused/Respondent/Referred Party. Conduct proceedings are governed by the procedures set forth in the *Student Community Rights and Responsibilities* as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

When a Student Conduct Administrator serves as the Referring Party at a Sexual Misconduct Conduct Hearing, the Reporting Individual/Complainant will serve as a witness and has the opportunity to be accompanied by an advisor of their choice.

Regardless of jurisdiction, all sexual misconduct investigations will be initiated by the Title IX Coordinator but may be referred at any time to the Office of Student Conduct. The Title IX Office and the Office of Student Conduct will work jointly to investigate any case of sexual misconduct. (Please review the campus Title IX policy for information related to Title IX investigations.)

2. Throughout conduct proceedings, both the Referred Party and Reporting Individual/Complainant will have:
 - A. The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Advisors may not address the Student Conduct Hearing Board during a disciplinary hearing but may speak privately with the advisee during the proceedings. Participation of the advisor in any proceedings is governed by federal law and the SUNY Potsdam Student Code of Conduct.
 - B. The right to a prompt response to any complaint. SUNY Potsdam will conduct timely reviews of all complaints of sexual misconduct. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

All deadlines and time requirements detailed below may be extended for good cause as determined by the Title IX Coordinator or the Director of Student Conduct, or a designee of either of those individuals. Both parties will be notified in writing of the delay, the reason for delay, and provide the date of the new deadline or event. Extensions requested by one party will not be longer than five (5) calendar days. With respect to timing, parties should take notice of the following:

- I. The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within seven (7) calendar days of receipt of the complaint.
 - II. The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, will usually be completed within forty (40) calendar days of receipt of the complaint.
 - III. Results of the complaint, via either a formal hearing or waiver of hearing will typically be issued within sixty (60) calendar days of receipt of the complaint, or, if longer, within a prompt and timely manner.
 - IV. Appeals for cases of sexual misconduct will be conducted as per the procedures described in “Appeals of Cases of Sexual Misconduct”.
- C. The right to have their complaint investigated and adjudicated in an impartial and thorough manner by individuals who receive annual training in conducting investigations of sexual violence; the effects of trauma; impartiality; the rights of the Referred Party, including the right to a presumption that the Referred Party is “not responsible” until a finding of responsibility is made; and other issues related to sexual assault, domestic violence, dating violence, and stalking.
 - D. The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
 - E. The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific Code of Conduct provisions alleged to have been violated, and possible sanctions.
 - F. The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while

law enforcement gathers evidence. Temporary delays should not last more than ten (10) calendar days except when law enforcement specifically requests and justifies a longer delay.

- G. During an investigation, the right to offer evidence and to review available evidence in the case file, or otherwise in the possession or control of the institution, and relevant to the conduct case, consistent with institution policies and procedures.
- H. The right to present evidence and testimony at a hearing, where appropriate.
- I. The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
- J. The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in college disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
- K. The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- L. The right to provide a written impact statement to the decision maker which will be read during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
- M. The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.
- N. The right to written or electronic notice about the sanction(s) that may be imposed on the Accused/Respondent/Referred Party based upon the outcome of the conduct proceeding. Note: For students found responsible for Sexual Assault I (prohibited conduct 9a), the available sanctions are suspension with additional requirements and expulsion/dismissal.
- O. Access to one level of appeal of a determination before a panel that is fair and impartial and does not include individuals with a conflict of interest.
- P. The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five (5) years.
- Q. The right to choose whether to disclose or discuss the outcome of a conduct hearing.

- R. The right to have all information obtained during the course of the conduct or judicial process be protected from public release until the appeals panel makes a final determination unless otherwise required by law.
- S. Evidence to be presented by either party during any hearing on the charges must be submitted to the Director of Student Conduct and Community Standards at least two (2) business days in advance of the scheduled hearing. This evidence will be shared with the Referring Party. The Student Conduct Hearing Board may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The Director of Student Conduct and Community Standards or the Student Conduct Hearing Board will make the final decision related to the admissibility of all evidence.

Temporary and Administrative Directives

1. When the Accused/Respondent/Referred Party is a student, the College may issue a “No Contact Order” meaning that continuing to contact the protected individual, either directly in person, by telephone, email, text message, social media sites, or other electronic means of communication, or through a third party (other than an attorney), is a violation of College policy subject to additional conduct charges; if both parties of the complaint observe each other in a public place, it is the responsibility of the Accused/Respondent/Referred Party to leave the area immediately and without directly contacting the protected person. Additional information can be found at: <https://www.potsdam.edu/about/safety/title-ix/no-contact-orders>.
2. When the Accused/Respondent/Referred Party is a student and presents a continuing threat to the health and safety of the community, they may be subject to a temporary suspension pending the outcome of the student conduct process.
3. Both parties in the complaint shall, upon request, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any Administrative Directives and/or Temporary Directives. Both parties in the complaint shall be allowed to submit evidence in support of their request.
 - A. The request for review must be submitted in writing to the Director of Student Conduct and Community Standards (by email: StudentConduct@potsdam.edu or in person to the Student Conduct Office (Barrington Student Union 218) within two (2) calendar days of the imposition of Temporary and/or Administrative Directives.

- B. The College may establish an appropriate schedule for the Accused/Respondent/Referred Party to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the Victim/Survivor/Reporting Individual.

Common Campus Policies

Alcohol Regulations

1. Statement of Purpose

SUNY Potsdam recognizes that a responsible attitude towards the use of alcoholic beverages is a desirable goal and should be encouraged by College policy. These regulations are to act as guidelines to provide members of the College community with an opportunity to develop a realistic and reasoned approach to alcohol use. They presume adherence to New York State Law and respect for the rights of all others in the College community. It is important to note that college policy does not recognize misuse of alcoholic beverages as an excuse for misconduct of any kind.

The SUNY Potsdam Alcohol Regulations apply to all members of the College community and their guests. They are in effect for all campus buildings and the College grounds. They are meant to provide a framework through which responsible use of alcohol is a prime objective.

2. State and Local Alcohol Regulations

A. New York State Law

New York State has taken major steps to deal with alcohol abuse. The penalties for “Driving While Ability Impaired” and “Driving While Intoxicated” have increased substantially (including fines, suspension or revocation of license, imprisonment.) The best advice: If you drink, don’t drive.

It is a crime in New York State to purchase alcoholic beverages for, or to give alcohol to, a person under 21 years of age. The legislature has passed several bills to substantially increase penalties for these offenses.

Effective December 1985, the minimum legal age for purchase of alcoholic beverages became 21. The College must comply with State law.

Effective October 1989, a person under the age of 21 who presents an altered New York State driver’s license for the purpose of illegally purchasing an alcoholic beverage may be subject to a suspension of that driver’s license for up to 90 days and may also be required to apply to the Department of Motor Vehicles for a restricted use driver’s license following the suspension.

Effective November 1989, persons under the age of 21 who present falsified or fraudulently altered proofs of age for the purpose of purchasing or attempting to purchase alcoholic beverages are guilty of a violation.

Effective January 1990, persons under the age of 21 are prohibited from possessing any alcoholic beverage with intent to consume the beverage. Alcoholic beverages involved in alleged violations of this law may be seized by authorized law enforcement officials.

B. Civil Liability

General Obligations Law of New York State Section 11-100 provides for civil liability against any person knowingly causing intoxication of a person under 21 years of age by furnishing alcoholic beverages to that person or by aiding such a person in procuring alcoholic beverages. Section 11-100 (Dram Act) provides for civil liability against any person selling or procuring alcoholic beverages for an intoxicated person regardless of age.

C. Village of Potsdam

It is a violation in the Village of Potsdam to possess an open container that contains or has contained alcoholic beverages on a street, in a parking lot, on a highway, on a sidewalk, in other public places or in a motor vehicle. This applies equally to the campus premises.

3. General Regulations

- A. The College will not accept use of alcohol as an excuse for misconduct.
- B. The violation of New York State law and the ordinances of the Village of Potsdam regarding the use and possession of alcohol is a violation of SUNY Potsdam regulations. New York State law regarding DWI and DWAI is applicable to all College property and the violation of same on College property constitutes a violation of these regulations.
- C. Misconduct on College property resulting from the use of alcohol constitutes a violation of these regulations.
- D. Possession of any alcoholic beverage by a person under the age of 21 is expressly forbidden.
- E. Referrals of students with potential alcohol abuse issues to an appropriate campus program or the St. Lawrence Health Systems Substance Use Disorder Services (or other substance abuse treatment facility) may be a provision of any penalty or sanction for violation of these regulations.

- F. No vendor shall deliver, or cause to have delivered, alcoholic beverages to the campus except where such delivery is made to a College authorized representative or agent of a licensed vendor (i.e. PACES).
- G. Any violation(s) of these regulations shall be dealt with in accordance with Article VI.
- H. Alcoholic beverage restrictions are determined by the policy governing the type of area in which alcohol is to be involved (i.e. Thatcher Hall, residence hall room) rather than the type of event (i.e. party, function).

4. Regulation of Alcoholic Functions

A. Campus-wide Regulations

- I. Reasonable amounts of solid, substantial food and non- alcoholic beverages must be available.
- II. Availability of alcoholic beverages in PACES leased facilities will be authorized by the Director of Dining Services, or designee, in consultation with the appropriate building administrator. The duration of alcohol service at an event will be determined by the vendor (PACES) as part of their responsibility as a license holder.
- III. The College reserves the right to charge supervisory fees, cleaning and damage deposits for the use of College facilities. Fees are payable in advance.
- IV. Outdoor functions must be approved by the Director of Student Life Facilities.
- V. The primary thrust of an activity should not be drinking alcoholic beverages. Advertising should promote a realistic activity and advertising will be limited to designated, controlled and appropriate places.
- VI. The number of persons attending a function is limited to the legal limit of the area.

B. Residence Hall Regulations – see section on Residence Hall Living.

5. Application Procedure Sale and/or Service of Alcohol

The only group that may sell or serve alcohol on the College premises is PACES (by contract with the State University of New York). The only areas licensed for regular sale of alcoholic beverages are the Barrington Student Union, Thatcher Hall and the Student Union Patio. All other areas require that PACES purchase a one-day caterer's permit from the New York State

Liquor Authority. The permit must be visible at the event and no event will be held without this permit. This requires a significant lead time (please check with the catering office for specifics.) The cost of this permit will be passed on to the sponsoring group. Failure to receive a permit may require the event to be moved to a licensed facility, if available.

6. Enforcement Procedures

College groups and individuals not in compliance with this policy may be charged under the College student conduct system.

Animal Policy

Service animals, as provided for under the Americans with Disabilities Act (ADA) and comfort, emotional support and companionship animals, as provided for under the Fair Housing Act in the Residence Halls only, are excluded from the provision of this policy.

1. Animals are not permitted in any buildings at any time.
2. Animals are permitted on campus grounds if they are restrained by a chain or leash not exceeding six feet in length and accompanied by persons of adequate age and discretion who properly control their actions.
3. An owner or harbinger of an animal shall not permit the animal to be a public nuisance by allowing the animal to consistently bark or howl, cause personal injury or damage personal or College property.
4. An owner or harbinger of an animal is not permitted to leave the animal unattended on campus property.
5. The owner or harbinger of an animal is required to pick up after their animal or may be subject to state and local laws.

Persons found to be in violation of this policy may face Student Conduct and/or Town Court action. Any animal found on campus in violation of this policy shall be subject to immediate transfer to the Potsdam Animal Shelter where the owner may claim the animal after payment of any custodial fee.

Firearms and Weapons

The rules of the Board of Trustees prohibit the possession of firearms or weapons on a State operated campus of the State University of New York without the written authorization of the campus President (or designee). The Chief of University Police has been appointed as the President's

designee for such purpose. The fact that a person is in possession of a valid New York State pistol permit does not authorize that person to have a firearm or weapon on campus without such written authorization of the campus President (or designee). Such authorization may be rescinded at any time but in no event shall it be valid for longer than one academic year.

Sales on Campus

Generally, SUNY does not permit commercial sales on campus (including residence halls) by businesses, staff or students. There are some limited items which may be permitted as "cultural events" if they are sponsored by a campus-based organization. These are items which are determined to be craft items and are sold by the craftsman who created them. Most items, however, are either under contract to our auxiliary service corporation or would present unfair competition to local business.

The SUNY policy states, "No authorization will be given to private commercial enterprises to operate on State University campuses or in facilities furnished by the University other than to provide for food, campus bookstore, laundry, dry cleaning, barber and beautician services, and cultural events. This shall not apply to Faculty-Student Corporation (PACES) activities approved by the University."

The fact that SUNY Potsdam is a public university does not permit individuals or businesses to operate a commercial enterprise on campus, nor does it permit individuals or businesses free access to campus buildings. Additionally, no such commercial activity may occur in the residence halls (as confirmed by the Supreme Court of the United States). Advertisers must comply with the campus posting policy.

Tobacco Free Policy

SUNY Potsdam is a 100% tobacco free campus. Tobacco use of any kind is prohibited on campus, at extension campuses, at all indoor and outdoor events, and in all vehicles and equipment owned, leased or operated by the college. Sale of tobacco products on campus is prohibited. The college will not accept advertising, marketing, distribution, or promotion of tobacco or electronic cigarette / electronic aerosol delivery device products. This policy covers any product made or derived from tobacco or which contains nicotine, intended for human consumption, including, but not limited to cigarettes, cigars, hookah-smoked products, bidis, kreteks, electronic smoking devices/electronic cigarettes, electronic aerosol delivery systems, smokeless tobacco and snus; term also includes herbal cigarettes and nicotine-free electronic smoking devices. Tobacco does not include drugs, devices, or combination products authorized for sale by the state or U.S. Food and Drug Administration; those terms are defined in the Federal Food, Drug and Cosmetic Act.

Wheeled Vehicle Policy

SUNY Potsdam recognizes that skateboards, rollerblades, bicycles and other wheeled vehicles or devices are legitimate methods of both exercise and transportation. However, some people choose to utilize these items in other than a conventional manner, thereby creating a physical danger to themselves and others as well as hazard to property. In an effort to continue to provide for the open use of College property of these modes of transportation, the following are adopted:

- Trick or stunt riding is prohibited. Trick or stunt riding is defined as repetitive or competitive moves where wheels leave the surface. Vehicles or devices used in such a manner are subject to impounding.
- No wheeled vehicle or device for personal transportation may be used in any campus building. Wheelchairs and youth strollers are exempt from this provision.
- Skateboards, bicycles, rollerblades and similar wheeled devices are prohibited from any tennis court surface.
- Skateboards and rollerbladers using sidewalks will do so safely and will yield the right of way to pedestrians.
- Skateboards and rollerbladers using campus roadways will travel in the right lane of traffic only, as close to the right-hand curb as is feasible and safe.

Campus Life Policies

Selected general Campus Life policies are provided below. For additional information and resources, please refer to the Get Involved Resources website:

<https://getinvolved.potsdam.edu/organization/getinvolved>. Questions can be directed to the Campus Life office: (315) 267-2013 or Barrington 208.

Student Life Facilities General Policies

The information below applies to all Campus Life managed facilities including: the Barrington Student Union, Knowles Conference Center, Merritt Hall, Dunn Theater, Hurley's Night Club, and all campus grounds (excluding the athletic fields), etc.

1. Campus Life managed facilities are for the use of the College community and provide areas in which out-of-class activities may occur.
2. Animals or pets of any type are not permitted in the building. The presence of animals or pets violates the Public Health Law and College policy. Service animals are exempt from this policy.
3. Guests on the campus are expected to comply with all college policies and regulations. Violations of policies and regulations may be referred to civil authorities.
4. Registered and recognized student organizations can reserve a space in which they can meet on a regular basis. This type of reservation is valid for one semester at a time. Reservations are also available to faculty and staff members.
5. There will be a charge to organizations or individuals leaving any area in an unacceptable condition; this includes excessive trash that requires cleaning, damage to furniture or walls, damage to audio-visual equipment, etc. Normal wear and tear is excluded. Organizations or individuals may be denied use of Campus Life managed facilities for abuse of facilities and/or equipment.
6. Unrecognized and/or suspended student organizations may not sign out any rooms or space managed by Campus Life, or any other areas on campus, nor may they post signs on bulletin boards.

Student Organization Registration

1. Student Group Registration

- A. In order to be in compliance with SUNY Potsdam policies and procedures and to take advantage of services provided by SUNY Potsdam, all student organizations must register with Campus Life, Student Union Room 208. Student groups registration forms are due 10 days before the last day of classes each semester on Get Involved (<https://getinvolved.potsdam.edu/>).
- B. Registration by a student organization shall constitute an agreement by the organization, its officers, and its members to observe and abide by the Code of Conduct (*Student Community Rights and Responsibilities*); all College policies; and local, state, and federal laws.
- C. Registrations are required 10 days before the last day of classes each semester for the following semester and are valid, once approved, until the next semester's registration is submitted to include winter break and the summer.
- D. The President of each registered student organization shall be the official contact person for the organization, and the person who will submit the registration on Get Involved (<https://getinvolved.potsdam.edu/>). The organization shall be accountable to SUNY Potsdam for all actions and financial commitments of the organization.
- E. Please note that while the registration process asks for information about meeting locations and times, you must schedule all spaces through EMS outside of the registration process.
- F. Once a group's registration has been approved, it will be listed on the Registered Student Group List.

2. Benefits of Registration include:

- A. Use of the College name along with, but not in place of, identification of the sponsoring body in accordance with College policy.
- B. Use of College facilities for the purpose of meetings and activities that further the organization's stated goals and that are consistent with College policies governing the use of space by student organizations. Examples: the ability to reserve rooms, reserve campus outdoor spaces, reserve tables in the Union Lobby, etc. A listing of registered student groups will be sent to all campus building administrators. This listing will be reviewed before space can be reserved by a student group. All student organizations must reserve space through the office of Campus Life for any space on campus. The Director of Student Life

Facilities will work with appropriate building managers to complete space reservations outside of Campus Life facilities.

- C. The opportunity to utilize all aspects of campus publicity including, but not limited to:
 - I. Posting fliers in campus buildings. Note: Student organizations must comply with the College's Posting Policy:
<https://www.potsdam.edu/about/safety/police/regulations/posting> as well as the guidelines for posting as specified by each building administrator. The posting policy for Residence Halls can be found at:
<https://www.potsdam.edu/studentlife/housing/policies>.
 - II. Inclusion in the Club and Organization listing on the College's web page.
 - III. Being featured on the College's digital signage system.
 - IV. Having an organizational banner hung in the Student Union.
 - V. Submitting event information to be included in Get Involved event listings to include table tents, fliers, get involved web page, college's web page, digital sign and various social media platforms.
- D. The ability to participate in Student Leader Conference Programs, the Welcome Weekend Carnival, Student Organization Fairs and all other programs/initiatives where student group promotion takes place.
- E. The ability to participate, as an organization, in SUNY Potsdam sponsored activities. Please note: Unrecognized groups may not participate in SUNY Potsdam sponsored activities/initiatives as an organization.
- F. Assignment of a student organization mailbox.
- G. Being eligible for college financial services (the ability to have accounts with SGA, the Foundation and/or PACES in accordance with established rules). Please note that all registered groups, with the exception of approved Greek Life groups, must utilize college financial services.

3. In order to become registered, student organizations must:
- A. Have their Presidents complete and submit the Student Organization Registration Form on Get Involved (<https://getinvolved.potsdam.edu/>), which is due 10 days before the last day of classes each semester. (Forms must be submitted on Get Involved.)
 - B. Agree to abide by the Code of Conduct (*Student Community Rights and Responsibilities*), all college policies, and local, state and federal laws.
 - C. Agree to abide by academic policies regarding student organizations. Specifically, Executive Board members may not be on academic probation as specified in the Academic Standards Policy in the College Catalog: <https://www.potsdam.edu/academics/catalog>. Campus Life will check academic eligibility of all Executive Board members each semester and notify the club's leadership that ineligible students have been removed from office so that they may conduct an election in accordance with their constitutional guidelines.
 - D. Have an advisor who is a non-student member of SUNY Potsdam's faculty or staff to include staff employed by PACES or the SUNY Research Foundation.
 - E. Have all members, to include the Executive Board, be comprised solely of SUNY Potsdam students.
 - F. Maintain their official affiliation and recognition with their parent organization/area (SGA or Greek Life). Registered student organizations that lose the recognition of their parent organization will have their registration withdrawn until such time that recognition is reinstated.
 - G. Have a constitution. For SGA groups, constitutions will be kept on file in the SGA Office.

For Greek recognized groups, constitutions will be kept on file by the Coordinator of Greek Life. For all other groups, constitutions will be submitted and kept on file in Campus Life.
 - H. Provide proof of general liability insurance in accordance with campus guidelines.
 - I. Contact the Campus Life Office within 5 days of a change taking place (Ex: Executive Board Officer or Advisor name change) and make that change on Get Involved.
 - J. All registered groups, with the exception of approved Greek groups, must utilize college financial services.

- K. Have the President or a designated member of the E-board attend the Mandatory Diversity Training, Title IX Training, and Get Involved Training offered during the Fall semester each year.

4. Organizations with Permanent Loss of Recognition

- A. A group that has permanently lost its recognition by the College is one that has committed a severe violation or has a history of repeated violations of law and the College's regulations such as the group's conduct is determined to have irreparable adverse effects on the College or members of the College community. More information about organizations with a permanent loss of recognition can be found at the following web site:

<https://www.potsdam.edu/studentlife/get-involved/greek-life/unrecognized-organizations>.

Tabling Policies

SUNY Potsdam student club/organizations and campus departments can utilize tabling for a variety of activities including recruitment, promotion of programs/initiations, providing information to the campus community, fundraising, and much more. If your organization/department is interested in using the campus to table for a function, you should be aware of the following guidelines for usage:

Reserving a table or space: A table/space on campus must be reserved online at <https://emsweb2.potsdam.edu/emswebapp/>

1. SUNY Potsdam groups wishing to reserve a table or space on campus must do so online at <https://ems-web2.potsdam.edu/emswebapp/>
2. The Barrington Student Union is limited to a total of 20 six-foot tables with 2 chairs per table. No tables are permitted in front of the main landing.
 - A. There may be low amplification approved with advance notice.
 - B. Amplified music must be kept at a level low enough as not to disturb scheduled meetings, events, and student/administrative offices.
 - C. If the Lobby space is full, there is the possibility of using the space near the east and west entrances.
 - D. The main balcony is limited to special requests for major intuitional programs.
3. When groups are finished with their use of table space, they must pick up litter and deposit in trash.

4. Proper Conduct during Reserved times:

- A. Individuals must remain behind and/or in close proximity to their tables during the reserved times.
- B. Individuals at the tables must keep their voices/presentations at an auditory level that will not disturb individuals passing through the building, groups in meeting rooms, classes or anyone in student/administrative offices.

5. Regulations on holding Raffles, Bake sales and Craft sales:

- A. Raffles in New York State may be conducted ONLY by "authorized organizations" who have applied for, and received, a games of chance identification number from the New York State Gaming Commission. To obtain an ID number please visit:
<https://gaming.ny.gov/>. SUNY Potsdam does not allow student/club organizations to host raffles.
- B. Bake sales must be approved by the Director of Student Life Facilities. Student leaders can submit a request online through Get Involved:
<https://getinvolved.potsdam.edu/organization/getinvolved>.
- C. Craft sales only are permitted by the individual crafts people. Sales for re-sale will not be permitted.
- D. Club Fundraisers: All student group fundraisers must be approved through the Campus Life Office through an online form on Get Involved:
<https://getinvolved.potsdam.edu/organization/getinvolved>.

6. Tabling Frequency

No student group or campus department may table longer than two consecutive weeks for the same program.

7. Disclaimer

The college reserves the right to refuse use of space to individuals or groups who do not comply with operational policies, or who are denied access to college space by campus or civil agencies.

Outside Space Requests/Sound Amplifications

1. Reservations for outside spaces must be reserved online at <https://emsweb2.potsdam.edu/emswebapp/>
2. Sound amplification that interferes with class activity, college events or activities, or that is in violation of village or other ordinances is not permitted.

Student Rights and Assembly Procedures

1. Purpose

SUNY Potsdam (the “College”) seeks to encourage and preserve freedom of expression and inquiry within the entire college community. The College, as a public institution, serves uniquely as a marketplace for the exchange of ideas and opinions and as a forum for the public expression of views. Some of the expressions may be counter to commonly-held or popular values, theories, and beliefs. SUNY Potsdam has a special obligation to protect the First Amendment rights of free speech and assembly. These rights are guaranteed by the United States and New York Constitutions.

2. Scope

This policy is applicable to all SUNY Potsdam students as defined in the College’s Student Code of Conduct. The College’s “Use of Facilities by Third Parties for Free Speech” Policy applies to all third parties, who are not sponsored by the College and/or a recognized student group, who want to use the College’s designated public forum for free speech purposes.

3. Definitions

- A. “Public Area” is space designated by the College as open and not requiring a reservation for use. At the College, public areas are limited. These areas are often reserved for particular events and activities but are otherwise open for general use by students. For information or questions about public areas, please contact Casey Nelson in the Campus Life Office, nelsonca@potsdam.edu, 315-267- 2013.
- B. “Assembly” is a group of students gathering together in a public area for a common purpose. This includes, but is not limited to, activities such as protests, demonstrations, rallies, vigils, and picketing.

4. Rights of Students

SUNY Potsdam students are guaranteed the following rights:

- A. The right to examine and discuss all questions of interest to them, and to express opinion privately and publicly;
- B. The right to learn in the spirit of free inquiry;
- C. The right to be informed of the purposes of all research in which they are expected or encouraged to participate either as subject or researcher;
- D. The right to freedom from censorship in campus newspapers and other media;
- E. That the right to freedom of speech, press, and inquiry shall not be interpreted as an authorization for a student, who sits on a committee, to disseminate or divulge any information that was given on a basis of confidentiality within a committee; and
- F. The right to hold public meetings and to engage in peaceful, orderly assemblies and demonstrations.

5. Rights of the College

- A. The College will not interfere with orderly assemblies in public areas of grounds and buildings unless participants engage in any of the following conduct:
 - I. Prevent the orderly conduct of a College function or activity, such as classes, lectures, meetings, interviews, ceremonies, and other public events;
 - II. Obstruct the free movement of vehicles or of persons, including, but not limited to in any building or facility, inclusive of blocking hallways and doors;
 - III. Willfully cause injury or damage to persons or property;
 - IV. Willfully operate audio amplification equipment in a manner that conflicts with normal College operations or that is deemed injurious to health and safety. Sound amplification that interferes with class activity, College events or activities, or that is in violation of village or other ordinances is not permitted;
 - V. Jeopardize the safety and security of others;

- VI. Enter into any private office of an administrative officer, member of faculty, or staff member without implied or explicit permission;
- VII. Without authorization from the Campus Life & University Police Offices, occupy a building after it is normally closed;
- VIII. Without authorization from the Campus Life and Physical Plant Offices, construct structures, inclusive of objects requiring penetration in concrete or grass, or camp on College grounds;
- IX. Possession and/or ignition of an open flame of any type, including but not limited to torches; or
- X. Violate the provisions of the SUNY Policy 3653, titled Rules for the Maintenance of Public Order.

B. Violations of this policy could result in disciplinary action under the College's Student Code of Conduct.

6. Assembly Procedures

A. Statement

SUNY Potsdam respects and supports students' efforts to exercise their rights to free speech and assembly. The Division of Student Affairs has designated the Office of Campus Life to provide the appropriate support for the successful implementation of these events. Following College procedure will ensure a safe and effective assembly activity. Every effort will be made by the College to respond affirmatively to all requests to engage in assembly activity. However, consideration must be given to the time, place, and manner of the assembly activity to ensure the health and safety of the participants and the noninterference with authorized College business, activities, or events.

B. Services

To help ensure the safety of participants and the protection of the rights of all members of the campus community, the College can provide services such as location, safety, crowd control, sound equipment (unless prohibited in certain areas as per College rules), site preparation/cleanup, and/or other such facilities or services it deems necessary ("Services").

C. Request for Services

- I. Assemblies for which Services are necessary (see paragraph D below) should, within two (2) business days prior to the planned event, submit a written Request for Services, as follows:
 - i. The written request should contain the name of the sponsor/organizer, the proposed location and any other Services sought, the date and time of the planned assembly, and the number of persons expected to participate.
 - ii. The request should be submitted to: Casey Nelson in the Campus Life Office, nelsonca@potsgdam.edu, 315-267-2013.
 - iii. Due to limited space at the College, when it is anticipated that participants for a particular assembly will equal or exceed ten (10) students, the sponsor/organizer must submit a Request for Services.
- II. A professional staff member from Campus Life will promptly respond to the request for Services after receipt of the written request and prior to the date of the assembly.
- III. A professional staff member will review the request and work with the sponsor/organizer to accommodate requests and determine a reasonable time, place, and manner for the assembly activity.
- IV. While every attempt will be made to accommodate all requests, some modifications to the assembly activity request may be required due to the availability of the proposed time and place of the activity. A Campus Life professional staff member will inform you of these modifications and guide you as you plan your assembly activity.
- V. In the event that the proposed assembly activity is planned in direct response to a current event, the Office of Campus Life realizes that it may not be possible to submit a request in advance. In such cases, the event organizer should connect as soon as possible with a liaison in the Office of Campus Life in order to swiftly coordinate the assembly activity.

D. No Services Required

Assemblies requiring no Services (when it is anticipated that participants will not exceed ten (10) students) may take place without any prior notification by the sponsors and/or organizers. However, conformity with the specific campus rules noted above, is required. If

you are unsure of whether your assembly requires Services, you are encouraged to contact the appropriate office designated in sub- paragraph (c)(2) above for guidance. (Approved by SUNY Potsdam College Council— 10/7/16)

Campus Posting Policy

Individuals and groups are welcome to post advertising materials on the SUNY Potsdam campus. Materials not in compliance will be removed without notification. The following are in effect for all areas of all campus buildings.

1. Content

- A. Materials shall be appropriate for a college campus and shall not advertise activities or events which are illegal. Advertising materials shall not refer to the availability of alcoholic beverages (price, quantity, brand, type, specials, etc.), cannabis, illegal drugs or any tobacco or electronic cigarette/electronic aerosol delivery device products.
- B. Materials shall include the sponsor of an activity or event as well as a specific date and time for the activity.

2. Placement of Materials

- A. Materials shall be posted on bulletin boards which are designated for that type of material. They shall not be posted on doors, windows or walls. The exception to this policy are notices dealing with college designated emergencies.
- B. Only one poster per activity may be placed on any one bulletin board.
- C. Posters may not exceed 14" x 22" (half of a regular poster board) due to limited space. Exceptions may be made by individual building administrators.
- D. Posters for the Residence Halls must be brought to the Residence Life Office for posting.

3. Administration of Posting Policy

- A. The administration of this policy shall be the responsibility of the Director of Student Life Facilities. Those using college posting space and individual building administrators should contact this person with questions & problems related to this policy.
- B. All decisions regarding posting of materials on campus may be appealed. The Appeals Board shall include a designated administrator from the Office of Residence Life

(selected by the Director of Residence Life), the Office of Campus Life (selected by the Director of Campus Life), the Dean of Students, one residential student member of the Student Assembly (selected by the Student Assembly), and one non-residential student member of the Student Assembly (selected by the Student Assembly). Decisions on appeals must be made within 5 business days.

4. Sanctions

Individuals or groups who do not comply with these guidelines or who, without authorization, remove materials placed by other individuals or groups may be denied access to the campus for posting of materials and may be subject to disciplinary action.

5. Banners

A. Banners are limited to on-campus sponsored activities only. Advertising materials should be appropriate for a college campus. Advertising materials shall not refer to the availability of alcoholic beverages (price, quantity, brand, type, specials, etc.), cannabis, illegal drugs or any tobacco or electronic cigarette/electronic aerosol delivery device products. All banners should include the date and time of the event and the sponsoring organization. Individuals or groups who do not comply with these guidelines or who, without authorization, remove materials placed by other individuals or groups, will be subject to disciplinary action. All banners must meet New York State Fire Code.

B. Locations for banner placement must be pre-approved by the appropriate Building Administrator.

C. Barrington Student Union Banner Policy

- I. All banners displayed in the Barrington Student Union must be approved and hung by the Campus Life Office. Please drop off all banners in the Campus Life Office, Student Union 208, a minimum of 2 business days prior to the date you wish it to be hung. Once the banner is dropped off it will be reviewed, and if approved, hung by Campus Life staff within 2 days. All approvals will be good for a maximum of 7 days from the date displayed. At the end of 7 days the banner will be taken down and recycled. If the date of the event is over prior to the 7-day window the banner will be taken down and recycled when the event is over and not left up the full 7 days. Any banner that is hung without approval may be taken down and recycled without notification of the sponsor. Banners will be approved based on the below criteria in addition to consideration of the amount of space available. If there is no room available to post a banner and/or it is received without 2 days' notice, its posting could be delayed. All advertisement of sales are prohibited.

II. All banners should be event specific and must include the following:

- i. Event date;
- ii. Event location;
- iii. Name of event sponsor(s);
- iv. 6-inch top boarder so it will reach the tack strip.

III. Please note the following additional expectations for banners:

- i. Banners are limited to on-campus event sponsors only.
- ii. Banner space is reserved for on-campus events only (exceptions for largescale campus sponsored events off campus may be considered).
- iii. Banners will be posted on a first-received, first-posted basis. Priority will be given to large-scale campus-wide events if needed.
- iv. Due to space constraints, only events that are intended to attract a large audience can be promoted through a banner. As such, regular weekly club meetings and club mixers should not be promoted utilizing banners.

IV. For other questions, please contact Casey Nelson, Director of Student Life Facilities, at nelsonca@potssdam.edu or Student Union 208. Campus Life has discretion to approve exceptions to this policy as deemed appropriate.

6. College responsibility

- A. It shall be the responsibility of the Assistant Vice President for Facilities to convene a meeting of all building administrators to fully explain the Campus Posting Policy.
- B. It shall be the responsibility of a designee of the Assistant Vice President for Facilities to meet with all maintenance supervisors to fully explain the Campus Posting Policy and to require their participation in removing of inappropriate or outdated materials.
- C. It shall be the responsibility of the Director of Residence Life (or designee) to include appropriate training of the Residence Life staff as relates to this policy in the Residence Halls.

Residence Hall Living

The residence halls are a vital part of the collegiate experience and an integral part of the College's mission. At SUNY Potsdam, students spend a major portion of their time outside of the classroom, and the residence halls are at the center of the students' day-to-day life. The College's Residence Life Department believes that a residence hall should contribute to the student's educational and personal growth. At the core of this philosophy is the sense of community, which staff members strive to create in the halls. You are expected to treat every member of the College community with respect, especially the hall staff, and comply with their requests. Cooperation, commitment to the welfare of the group, and a sense of responsibility to self and others define the community that develops as a result of living and learning together. We believe the essence of this commitment can be seen in the residence halls, which provide an opportunity for exchanging divergent views and beliefs and sharing in the diversity of our campus community.

The key element to a successful residential experience is the willingness to get involved. You can have an impact on the direction of your hall and the College through your participation in activities. We hope that you make the most of this opportunity by accepting the challenge and responsibility of being an active and contributing member of the residential community. The following pages will outline the policies, procedures, and regulations required of all students who live in the residence halls.

Residence Hall Policies & Procedures

1. Building Access

Potsdam issued College ID Cards will allow residential students access to all of the residence halls. Residence Life has the ability to revoke this privilege for any and all students at any time with written notification. The keyless entry system is activated 24 hours a day and students are responsible for carrying their College ID Card at all times. Students may not give their College ID Card or access to their CBORD Mobile ID App to another student for any reason at any time. Students should only allow entry to their own guests into their building.

2. Checking In

When you check in, you will receive your room/suite/Townhouse key(s), a variety of information and you will be asked to pay a hall activity fee of \$20 for the academic year. All students must be in compliance with the College's immunization policy, be registered for classes for the upcoming semester, and be in good financial standing with the College at the time of check-in.

Students who are approved in advance to come back early but do not have a college sanctioned reason to be back, will be assessed a \$20.00 per day fee. Students in their first semester at Potsdam will not be approved to move in early.

3. Checking Out

At the end of the school year, or when you officially leave a room, you are responsible for returning the room to its original condition including returning all furnishings. Rooms should be left reasonably clean: door, walls and furniture cleaned, floors swept, and garbage and all personal belongings removed. Failure to remove your belongings from your room by the designated date will result in them being packed and a \$250 charge on your bill. Failure to return keys at the time you are checking out of your room will result in an automatic lock change and a charge of \$75.00 per missing key. Students who move rooms mid-semester, and who fail to return their key, may also be charged for two rooms until the original room key is returned and/or they notify Residence Life that the key has been lost.

The building staff and Associate Director, or designee, will make a final damage assessment by the end of the semester. If damages are assessed, the amount will be added to your student account. See damage section for more information about damage billing. Personal items left behind after checkout or separation with the College may be subject to a daily storage fee.

Students are required to check out of their room 24 hours after their last final in the spring semester. Failure to vacate your room by 6pm on the Saturday of commencement will result in an additional charge of \$250 per day and may also lead to trespassing charges.

4. Damage

Students are held responsible for damage beyond normal wear and tear to their room, common areas of the residence hall (i.e. hallway, stairwell, bathroom, lounge, etc.) and college provided furnishings. If damage occurs in a common area, the individual(s), if known, can be charged both judicially and financially. Damage amounts will be added to the student's bill, most commonly at the end of each semester. Students will have until February 1st for fall bills and August 1st for spring bills to appeal IF they have checked out properly and signed their room condition report. Appeals must be made in writing to the Office of Residence Life. Students will be responsible for payment before the start of the next semester. Failing to pay this bill will result in a hold being placed on all official college records.

If the individual(s) cannot be identified, the community affected will be subject to the following Community Billing Process:

- A. The Resident Assistant will hold a meeting with all of the members of the living unit to discuss the incident(s) and ask for the cooperation of all residents to discontinue the problem behavior.
- B. If the problem continues, the Residence Hall Director will send a formal warning letter to all residents within the living unit as well as conduct a meeting to further discuss the college policy and violation.
- C. If, after the first two steps are taken and the damage/vandalism continues without being able to identify the responsible person(s), then all of the residents who live within the living unit will be billed to cover any repairs or excessive cleaning. The bill will consist of a listing of all of the damages done to that area divided by the total number of students in that area.

Residence Life can provide students a list of cost for common damages in student rooms. To receive this list, students may request one in writing or visit the Residence Life office in Draime Hall Extension.

5. Electrical Appliances

New York State Code prohibits cooking within residence hall rooms and suites as cooking appliances can create significant fire safety hazards. The following items are the only cooking appliances that students are allowed to have and use within student rooms/suites: coffeepots, refrigerators (no larger than 5.0 cubic feet) and microwaves (not to exceed 1000 watts). Since the rooms/suites are not designed for substantial cooking, designated cooking areas are provided in each residence hall. Electrical appliances that are allowed must be plugged directly into a wall outlet or an appliance rated extension cord. All appliances other than refrigerators must be unplugged when not in use. All appliances that are powered by sources other than electricity are not permitted in the residence halls. Window air conditioning units and space heaters are not permitted in the residence halls. Energy Star/ energy efficient appliances are recommended for use in the halls. Light fixtures must have the recommended wattage bulb in them.

6. Entering Student Rooms

SUNY Potsdam recognizes and respects your privacy; however, the College reserves the right to enter apartments, suites, townhouses, and residence hall rooms for inspection, cleaning, or maintenance purposes at reasonable times. Students agree to allow the College to conduct periodic health and safety inspections. Students will receive notification at least 24 hours in advance from the College staff whenever possible. Students will need to notify the staff that the College has permission to enter the student's room for routine, requested repairs when the student is not present.

Maintenance may enter a space without permission or advanced notice in situations where immediate damage to the room and/or property may occur.

Upon approval by the Director of Residence Life and/or designee, a room can be entered without notice when there is reasonable cause to believe a violation of College policy has occurred or is taking place. Apartments, suites, townhouses, and residence hall rooms will be entered any time the halls close and/or at the end of each semester. There may be entry without notice in situations where imminent danger to life, safety, health, or property is reasonably feared.

Students expressly consent to University Police officers entering residence hall rooms to seize illegal substances (e.g., drugs or alcohol possessed by a person under age 21), stolen property, contraband, and other items or property forbidden by College policy when such items are discovered by Residence Life staff during health and safety inspections of residence hall rooms.

Such items may be seized for possible use as evidence in criminal charges, in charges of misconduct under the College Code of Student Conduct, and/or for proper disposal of such items. Students do not have the right to enter other students' rooms without permission. Staff will not grant access to apartments, suites, townhouses, or rooms by friends, relatives, or other students. You should keep your door closed and locked and contact a staff member or University Police if you have concerns about who is coming into your living space.

7. Furniture

Elevation of beds by placing bed frames on cement or wooden blocks, windowsills, radiators, or other furniture is strictly forbidden. Students may not stack pieces of furniture (other than bunk beds) whether college-owned or personal. Bunked beds and other furniture may not block or interfere with the operation of the windows or doors.

Students are not permitted to have waterbeds nor lofts in rooms, suites, apartments or Townhouses. Students are not permitted to bring in any of their own furniture unless it is approved in advance by the Residence Life Office. College provided furniture must remain within the room/suite/apartment/townhouse and will not be removed nor stored.

Furniture in the common areas of the residence halls is designed for the use of all members of the residential community and may not be removed to individual rooms or suites. Any student found with unauthorized state-owned common area furniture in their room or suite will be subject to action through the student conduct system.

8. Housekeeping

Each hall's cleaning staff maintains the public bathrooms and common areas (i.e. lounges, bathrooms, stairwells, hallways, etc.). They are responsible for the day-to-day general cleaning, but not for cleaning up excessive messes left by students. As members of the residential community, you should encourage fellow residents to share in accepting responsibility for ensuring that excessive messes are cleaned up by the responsible individual(s) and that college property is not damaged. Students are responsible for keeping their room/suite in a neat and orderly condition at all times. Willfully creating a housekeeping problem within a room/suite or common area will be considered a disciplinary matter and the community billing policy may be applied when appropriate (see damage section). Students with private bathrooms (suites, apartments and townhouses) are required to regularly clean their bathrooms with their own cleaning supplies.

9. Housing License

All students living on campus sign a full academic year license for room and board and are billed accordingly. Students are not permitted to sublet their rooms. Releases from the housing license are subject to a \$250.00 termination fee. Students who agree to live in a Townhouse or Lehman Apartment cannot be released from on campus housing.

10. Keys

Upon check-in at the residence halls, each resident is issued a room key (and suite, apartment, or Townhouse key if applicable). If you lose your room key(s), you must go to the Office of Residence Life and request a lock change. Lost keys will result in a lock change and the resident will be assessed a charge of \$75.00 per key, which includes the lock change and new keys.

Failure to return a room key(s) when checking out of your room will also result in a lock change together with the \$75.00 fee per key. If fees are not paid a hold will go on the student's account until the fee is paid. Students who move rooms mid-semester, and who fail to return their key, may also be charged for two rooms until the original room key is returned and/or they notify Residence Life that the key has been lost.

All keys remain the property of SUNY Potsdam. Unauthorized use or possession of a master key or any other keys that have not been officially issued to you is considered a serious offense and will result in disciplinary action. Students are responsible for carrying their room key at all times. Students may not give their room key to another person for any reason.

11. Occupancy

In the fall semester, the halls will open the prior to the start of classes. At the end of each semester, the halls will close at 10am on the day after final exams end. All Residence Halls will remain open during both the fall and spring semesters. Students may need to sign up with a residence life staff member to stay over the Winter/semester break in order to have card access to their building. Any student found in a closed area (or open area without registering) during a break or vacation is subject to arrest and/or charges through the conduct office.

Students withdrawing from school during the year must vacate their rooms within twenty-four (24) hours of the date of official withdrawal. Special requests will be considered by the Director of Residence Life or designee and may be subject to charges. With the exception of students participating in graduation, students must vacate their rooms within twenty-four (24) hours after their last examination. Requests to remain on campus through commencement must be made through the Director of Residence Life or designee. Students graduating will vacate their rooms by 6 pm the day of graduation exercises. Registered summer session students may be allowed to stay longer, until the summer session housing area is ready for occupancy. Any student who remains in their room past 6 pm on the day of commencement, without expressed permission by the Director of Residence Life, or designee, will incur in an additional charge of \$250 per day. They also may receive charges for trespassing.

Students must be registered for classes in order to live on campus. Students continuing from the fall semester to the spring semester must be registered for classes for the spring semester by the last day of classes in the fall semester. Students who are not registered by this date will be required to move out of their room at the end of the fall semester unless granted an extension by Residence Life.

12. Property Insurance

SUNY-Potsdam assumes no responsibility for lost, stolen, or damaged personal property, for any reason at any time, and has no insurance coverage protecting student's property. It is recommended that the student contact an insurance agent concerning possible protection against such losses or for coverage under a family homeowner's or renter's policy.

13. Repairs

If there is something in your room or building that is in need of repair, speak to, or email, your RA or Residence Hall Director. They will submit a maintenance request which notifies the maintenance staff of the needed repair. Repairs are handled on a priority basis with safety and security repairs taking precedence. In the event that a maintenance problem is not promptly resolved, it should be brought to the attention of your Residence Hall Director. Continuing

unresolved problems should be reported to the Office of Residence Life. Students will need to notify the staff that the College has permission to enter the student's room for routine, requested repairs when the student is not present.

14. Residency Requirements

The State University guidelines pertaining to campus residency mandate that “every student in full-time attendance at a state operated unit of the University, other than married students or students residing with a parent(s) or guardian, shall be required either to live in a dormitory maintained by such unit or to have permission under such provisions as made therefore by the Director of Residence Life of such unit to live off campus...” Specifically, SUNY Potsdam requires all students who enter as a new, first year students to live on campus for 2 years or 4 semesters and all new transfer students are required to live on campus for their first year or 2 semesters, unless the student:

- A. lives with their parent(s) or legal guardian(s) at their official residence (domicile) within a 60-mile radius from campus. Domicile shall be defined by the rules pertaining to official residence in the Office of the College Registrar;
- B. has dependent children residing with them;
- C. is married;
- D. is twenty-one (21) years of age as of September 1, for fall admission or January 1, for spring admission;
- E. is a Veteran.

Full time undergraduate students may request to live off-campus by submitting a petition for exemption or release to the Director of Residence Life or designee with a valid reason and supporting documentation.

The residence halls are designed to complement the academic mission of the institution. Thus, students living in the residence halls must be registered students in order to live in college housing. In addition, students must be in good financial standing and have up to date health records, including immunizations. Exceptions to these will be considered by the Director of Residence Life or designee.

Living in a college residence hall requires student status. Students who live in the residence halls are expected to actively engage in activities that will result in satisfactory academic progress. Such activities include, but are not limited to, regular class attendance, completing readings and assignments outside of class, finishing papers and projects in compliance with class syllabi; and preparing for and taking examinations. Failure to be involved in academic work in a purposeful way will jeopardize your ability to live in the residence halls.

15. Room Assignments

Students may express preference for a building, room and roommate during the housing sign up process. Whenever possible, Residence Life tries to honor the specific requests of students. Although students may request a particular building and/or roommate, Residence Life cannot guarantee that these requests will be fulfilled. The Office of Residence Life reserves the right to assign or reassign students' campus housing assignments for administrative purposes and/or for the best interest of the residential community. In addition, The Office of Residence Life can also ban students from certain areas/buildings, including guests of students.

Most students are housed in traditional double rooms. A certain number of suites, apartments, Townhouses, triples, and singles may be available each semester as total occupancy numbers permit. Single rooms can be requested in the Office of Residence Life, including requests for medical accommodations. If a student is left alone in a double room and is uninterested or unable to secure the room as a single, students may be consolidated with other students in the same situation only within the same residence hall. Students left alone in an accidental single must only occupy their half of the room or they may be charged for single room.

Room assignments can be canceled if students do not remain in good academic or financial standing or in compliance with other College requirements (e.g. immunization).

16. Room Changes

Students requesting a room change must see their respective Residence Hall Director before making any moves. All moves must have the permission of the Residence Hall Directors in the building where the student currently lives and the building that they wish to move to. Students must officially check-out of their former room and officially check-into their new room. Room changes will occur over the weekend which allows students to pick up their new room key(s) on Friday afternoon and return their old key(s) on Monday morning in the Residence Life office. Failure to return your old room key(s) to the Office of Residence Life on Monday morning may result in a bill placed on the student's account for charges resulting from a lock change. Students who move rooms mid-semester, and who fail to return their key, may also be charged for two rooms until the original room key is returned and/or they notify Residence Life that the key has been lost.

There are no room changes during the first two (2) weeks of fall and spring semesters and the last two (2) weeks of the fall semester.

17. Room Charges

Students are billed for the entire academic year in two equal installments. Extra charges will not be levied when single occupancy of a double room has not been requested and is beyond the control of the student. You will be responsible for the full cost of your room whether or not it was your first choice of options or you have been actually living there. Students who withdraw from the College are liable for payment of the room in accordance with the following schedule:

Official Withdrawal During Semester Room Liability

1st Week	0%
2nd Week	30%
3rd Week	50%
4th Week	70%
5th Week	100%

If a student is removed from the residence halls due to disciplinary reasons or failure to comply with College requirements (e.g. immunization), there is no refund.

Student teachers or others with academic commitments assigned outside the Potsdam area for part of the academic year can be offered a semester housing license. Permission for a semester housing license must be granted by the Director of Residence Life, or designee.

18. Room Decorating and Personalization

Students are encouraged to personalize their room/suite/apartment/Townhouse as long as it does not cause any damage. All personalization projects must be removed at the time of check-out. Any subsequent damage will be billed accordingly. When in doubt, students should seek permission from the Residence Life staff before beginning any personalization project.

19. Storage

There is a limited amount of long-term storage space available in the residence halls during the summer. In order to use storage over the summer, students must be registered for classes and must have a housing assignment for the Fall semester. Items placed in storage may be limited in quantity or size based on space available and must be non-flammable. SUNY Potsdam is not liable for damage, theft or loss of property of items that are in storage areas.

All items must be removed from storage areas by September 15 of the following academic year. Any items not removed by September 15 may be removed and/or discarded.

Due to safety regulations, students are not allowed to store bicycles in hallways, lounges, lobbies, basements or stairwells at any time.

20. Vacations and Breaks

During the academic year (August 24, 2023 – May 18, 2024), before departing for vacations or breaks, you must unplug all electrical items, empty your wastebasket, dispose of perishable food, close and lock your windows, leave your blinds open and lock your doors. You should also notify your Resident Assistant as to the time you may be leaving. Staff will inspect rooms to ensure that the above conditions have been met. Students do NOT need to check out or turn in keys for break, recess and vacation periods, unless they are not returning to SUNY Potsdam.

21. Waste Disposal

Students are responsible for the proper disposal of garbage and waste according to published procedures. This includes, but is not limited to recycling, batteries, computers, printer cartridges, broken glass, medical waste, needles, etc. Central areas are provided in each residential area for this purpose. Personal waste from rooms should not be discarded in bathrooms. Special receptacles for medical waste and needles are available through Student Health Services.

Residence Hall Regulations

Published college policies supersede all residence hall regulations and terms of housing license. Students are responsible for knowing and abiding by all of the information published by SUNY Potsdam. In addition to Residence Life Policies, all items identified as prohibited conduct in the *Student Community Rights and Responsibilities* are not permitted in the Residence Halls.

1. Alcohol

Possession and/or use of alcoholic beverages in the residence halls are governed by New York State Law and College policies. Students of legal drinking age can consume and possess alcohol in rooms/suites of the residence halls only (except those living in FYE and in substance free housing). Students who are under 21 cannot consume nor possess alcohol. In addition, Residence Life Policies for alcohol include:

- A. Individuals over the age of 21 may use and possess alcohol as permitted by law and College regulations, except in areas designated as substance free or in areas otherwise restricted by SUNY Potsdam policies.
- B. Regardless of age, it is a violation for students to provide, either directly or indirectly, alcohol to someone under the age of 21. This includes roommate(s) and/or suitemate(s).

- C. Alcohol is not permitted by any person in all public areas of the residence halls (public areas being defined as outside a student room, suite, apartment, or Townhouse). Students who are under 21 cannot possess alcohol anywhere within the residence halls at any time.
- D. It is a violation to possess or use false or altered age documentation to obtain alcohol.
- E. This policy prohibits kegs, beer balls, and other common source containers (i.e. “garbage can” punches) and also does not allow for rapid consumption devices such as beer pong apparatus, beer bongs, tubing, funnels, etc.
- F. Students are not permitted to engage in any type of drinking games in the Residence Halls to include, but not limited to: card games, beer pong, quarters, caps, Beirut, etc. A drinking game is an activity which encourages, induces or results in rapid and/or continuous consumption of liquid regardless of whether the liquid contains alcohol or not.
- G. Students of any age are not allowed to make any form of alcohol in the Residence Halls. Possession of any equipment for the purpose of making alcohol is expressly forbidden.

2. Bathrooms

Bathroom designations are posted and are for use of the designated gender identity only (except in gender inclusive, co-ed housing areas, suites with baths, and Townhouses). Showers are for single occupancy use only. Creating excessive messes are subject to individual and community billing.

3. Common Area Spaces

Sleeping and/or storing items, including bikes, in residence hall lounges, hallways, bathrooms, lobbies, and stairwells is not permitted. People found sleeping in lounges may be asked for identification, will be asked to leave, and may be documented.

4. Decorations

Strict guidelines for the use of holiday decorations have been developed in order to minimize the fire safety hazards inherent in the use of such materials in college residence halls. All students must abide by these guidelines, fire safety policies, posting policies and NY State Building and Fire Codes.

- A. All decorations used must be non-flammable and fireproofed. Lights must be non-heat producing. Electrical cords should be plugged directly into outlets or power strips with surge protectors that are not overloaded.
- B. Live trees, wreaths, corn stalks, hay, etc. are not permitted at any time
- C. The use of candles is prohibited everywhere in the residence halls.
- D. Please do not use washable paint, chalk or spray snow on walls, doors and lounge windows including outside brick walls.
- E. Lights and light fixtures cannot be decorated or covered.

- F. Decorations may not be hung on sprinklers, heat and smoke detectors and other fire safety equipment.
- G. In the event a common area space is being used for a holiday event, the area can be decorated on the day of the event and must be cleaned immediately after it is over. Students must obtain Residence Life's permission prior to event.

5. Doors

Safety is a responsibility of all residential students. Propping an exterior door to a residence hall, or tampering with the door which prevents it from properly being secured, is prohibited.

6. Fire Safety

In addition to the policies that govern Fire Safety, which are located in the Code of Student Rights, Responsibilities and Conduct, there are several Fire Safety policies for the Residence Halls. All fire safety policies are governed by and must comply with the Fire Code and Building Code of New York State. Items that violate the State Code or College Policy may be confiscated. Students are expected to remedy or report fire safety issues (e.g. covered smoke detectors) in their living spaces.

- A. Residents are required to maintain at least a 24-inch area of clearance around all fire safety equipment (i.e. sprinklers, fire alarms, smoke detectors, heat detectors, etc.). No items may hang from, nor cover any fire safety equipment.
- B. All residents and guests must leave the residence halls every time the fire alarm system is activated.
- C. Blocking hallways, stairwells, windows, and other emergency exits or impeding the proper functioning of doors is expressly forbidden. This includes leaving any item (including furniture, footwear, bikes, and personal items) in the hallway (to include entrances and hallways within apartments and Townhouses).
- D. The possession and use of fireworks is prohibited.
- E. Items that emit an open flame (e.g. candles, incense and potpourri that require ignition for their use), flammable liquids (i.e. gasoline, ether, paint, butane, propane, etc.), flammable materials (i.e. charcoal, lighter fluid, etc.) hazardous materials (i.e. chemicals from science labs, etc.) are not permitted within the residence halls and must be at least 50 feet away from any building. This includes all machinery, vehicles and equipment that use flammable liquid to operate them (i.e., dirt bikes, motorcycles, etc.).
- F. Electrically based air fresheners must be plugged directly into a wall outlet.
- G. Light fixtures must have the recommended wattage bulb in them.
- H. All forms of halogen lamps and primary, multi-colored floor lamps are not safe and pose a significant fire safety danger. Thus, they are not permitted anywhere in the residence halls.

- I. The following items are the only cooking appliances that students are allowed to have and use within student rooms/suites: coffeepots, refrigerators (no larger than 5.0 cubic feet) and microwaves (not to exceed 1000 watts).
- J. The use of extension cords or multiple outlets are fire safety hazards and are not permitted. Students must use 3-pronged power strips that have built in circuit breakers, are UL-listed and made of 12 gauge or larger wire. Power strips must be plugged directly into the wall.
- K. Electrical appliances that are allowed must be plugged directly into a wall outlet or an appliance rated extension cord.
- L. Any type of electric heater and window air conditioning unit is prohibited in the residence halls.
- M. Students may not affix anything to the ceilings in their room (i.e. curtains, tapestries, etc.) nor may items be hung in front of the room door, window, or used as a room divider.
- N. All wall hangings must cover only one wall and cannot be affixed on two or more walls or the ceiling or doors.
- O. Any items made of fabric (i.e., tapestries, clothing, fishnets, sheets, etc.) are not allowed to be hung on the walls. Curtains are the only fabric item allowed to be hung and they must be fire retardant and have a tag attached that verifies this. These requirements must be approved and confirmed by your Residence Hall Director prior to hanging.
- P. Items on walls must be at least twelve (12) inches below the ceiling.
- Q. Wall postings must not exceed 50% of the total surface area.
- R. Flammable materials are not to be posted on the exterior surface of room doors or on walls or hallways unless covered with contact paper.
- S. Exterior room door postings are limited to one door/name tag per resident, one 8 ½ inch by 11 inch posting per resident, and one dry erase or cork board per room/suite/apartment. Please refer to the Posting Policy for more information.
- T. All battery-powered personal mobility devices, including their batteries and chargers, are not allowed to be used or stored in the residence halls. Exceptions will be made for students with approved accommodations through the Office of Accommodative Services.

7. Guests

The College does not permit long-term guests or long-term co-habitation of residents with guests. Anyone who does not live in a particular room/suite/apartment/Townhouse is considered a guest of that room/suite/apartment/Townhouse. It does not matter if you are a Potsdam student or not; if the individual is not assigned to live in that space they are a guest. The College's policy allows for our students to host guests. The intention of the following policy is to allow students greater freedom, while reducing misuse of that freedom at the expense of their room/suitemate(s).

If a resident wishes to have a guest in their room/suite, it must always be with the consent of the other students living in the room/suite/apartment/Townhouse. Overnight guests are limited to 1 person per resident. Any guest that will be here for more than 24 hours must be registered with a

member of the Residence Life Staff. An overnight guest will not stay any longer than 72 hours per month. All guests, who are not current SUNY Potsdam students, must be 18 years of age or older. All requests for exemptions to this policy, including siblings less than 18 years of age, must be made to your Residence Hall Director for approval and registration well in advance of the guest's arrival and emergency contact information provided.

It is the responsibility of the host to explain all college policies to their guest(s). The host will be held accountable for the actions of their guest(s). Residents must meet their guests at a building door to give them access to the building. Guests cannot be left unattended in the residence halls without their host. Non-SUNY Potsdam students who are in the residence halls without a host and/or without being registered are subject to arrest for trespassing. Hosts will be held responsible for the guest's activities. A roommate can also be held accountable for their knowledge of behavior of a guest in a room/suite that violates SUNY Potsdam policy.

8. Hall & Quad Activities

Because of the risk of physical injury or damage to facilities, students are encouraged to be careful around residence halls and quad areas. Nerf™ and whiffle balls, hacky sack, Frisbee, soccer, volleyball, and playing catch with a baseball, softball, football or lacrosse ball are permitted within the quad areas. All other athletic activities (playing a game of football, baseball or softball with a bat, lacrosse, etc.) are prohibited in the quad areas and should be restricted to the athletic fields surrounding the halls.

Skateboards, roller blades, bicycles and other wheeled vehicles or devices are legitimate methods of both exercise and transportation. However, some people choose to utilize these items for reasons other than exercise and transportation, thereby creating a physical danger to themselves and others as well as a hazard to property. Thus, trick or stunt riding is prohibited. Trick or stunt riding is defined as repetitive or competitive moves where wheels leave the surface and those acts that use railings, curbs, stairs, etc. Skateboards and roller blades using sidewalks will do so safely and will yield the right of way to pedestrians.

The above listed physical or recreation activities or others that could be defined as Hall Sports (including metal tipped darts, wrestling, Nerf™ guns, etc.) are not permitted within the residence halls. Exceptions also include the use of pool, Ping-Pong, and air hockey or foosball tables in designated areas.

9. Improper Use of College Property

Tampering with and/or unauthorized use of the college provided technology and equipment is prohibited. This includes improper use of email and the internet (see Information Technology Acceptable Use Policy) and all forms cyber-bullying and cyberstalking. Access to roofs, mechanical rooms, service areas and other locations not designed for student use is prohibited.

In addition, students are not allowed to operate a commercial enterprise from any State University facility or property. This includes, but is not limited to prohibiting tattooing, piercings, cosmetology (i.e. hair, nails, etc.), telemarketing, and using College provided technology (i.e. wired or wireless internet) in the halls whether money is actually exchanged or not.

10. Noise

Students are under a continuous obligation to be respectful of each other at all times. The right to study or sleep in your room without being disturbed is of the utmost importance. All residence halls observe quiet hours that begin at 10:00 p.m. and go to 8:00 a.m. Sunday - Thursday and 12:00 a.m. to 10:00 a.m. on Friday and Saturday. Outside of these times, quiet hours are relaxed, however, residents must still be courteous of others. Inappropriate noise at any time will be addressed, and potentially documented, by the Residence Life Staff. In general, sound should not travel from within the confines of your own room. Electrical amplification of any musical instrument is specifically prohibited. The creation of excessive noise outside or when you are entering or exiting the residence halls that may disturb students within the building is also prohibited. During the time period around final exams, 24-hour quiet hours will be in effect. During this time, no warnings will be issued for noise; all violations will be documented.

11. Pets

With the exception of fish in small tanks (10 gallons or less), animals, to include ones that are visiting, are not permitted anywhere in the residence halls. Emotional Support Animals, which are approved in advance by the Medical Housing Committee, service animals, and animals who are approved to live in the Pet Friendly Housing area are the exceptions to this policy. Students in these excepted categories must abide by guidelines set forth in the agreements. Campus policy prohibits all animals, except service animals, from all nonresidential buildings. Animals that are just visiting must be kept outside.

If a pet is suspected and/or found in the residence halls, the College staff will inspect that area to ensure the safety of the students and the animal. The staff will attempt to contact the owner of the pet to inform them of the discovery. This staff may immediately remove the pet and take it to an animal shelter where it will stay until the student comes to claim it. The student will be told where the pet was taken. All expenses that are incurred due to the removal of the animal will be the student's responsibility, to include any damages and/or cleaning costs.

12. Phones

The Residence Halls have emergency phones on each floor/house that direct dial University Police. Tampering with these phones or using for them for any reason other than contacting University Police for assistance is prohibited.

13. Posting Policy

All Residence Hall postings must comply with the College Posting Policy. Additional guidelines are listed below.

- A. Postings are limited to common area designated bulletin boards. Any material that is not posted on properly designated bulletin boards may be removed.
- B. 15 copies of items to be posted should be brought to the Residence Life Office in Draime Hall for approval and posting at least 5 days prior to the event. Postings cannot be posted by individuals or groups.
- C. Posted material must include the name of the sponsoring group or individual and the date of the advertisement's posting.
- D. No materials are to be posted on any glass or door in any residential area. Any exceptions to this will be made by the Director of Residence Life or designee and are usually related to an emergency, hall closing or critical information that needs to get to residents quickly.
- E. Materials shall be appropriate for a college campus and shall not advertise activities or events which are illegal. Advertising materials shall not refer to the availability of alcoholic beverages (price, quantity, brand, type, specials, etc.), illegal drugs or any tobacco or electronic cigarette/electronic aerosol delivery device products.
- F. Flammable materials are not to be posted on the exterior surface of room doors or on walls or hallways unless covered with contact paper. Exterior room door postings are limited to one door/name tag per resident, one 8 ½ inch by 11 inch posting per resident, and one dry erase or cork board.
- G. Any materials advertising non-College sanctioned alcohol or alcohol related events are strictly prohibited.
- H. Only one copy of each advertisement can be posted on each designated bulletin board. Material may not be larger than 11.5 X 17 inches. Postings may not remove, rearrange, cover up or otherwise tamper with material already posted. Material may be posted for no longer than one month.
- I. The Office of Residence Life is responsible for enforcing this policy. Any materials deemed inappropriate or not in compliance with this posting policy will be removed by the residence life staff. Exceptions to this policy will be made by the Director of Residence Life or designee.
- J. Any person or group that is found to be in violation of this policy may face disciplinary action and loss of posting privileges in the residence halls.
- K. No more than 10% of a given surface in common areas (i.e. lounges, hallways, room doors, stairwells, bathrooms, elevators) may be covered at any time.

14. Solicitation

All on-campus solicitation by SUNY Potsdam recognized groups or outside persons or organizations in the residence halls is prohibited. This includes going door-to-door, putting fliers/advertisements under room doors and telemarketing/mass voice mail messages. Authorized fund raising/sales and other activities are only permitted in the main lounge of a residence hall and must be approved in advance by the Residence Hall Director.

15. Tobacco Free Campus

SUNY Potsdam is a 100% tobacco free campus and as such, no tobacco use is allowed within buildings or on grounds owned or leased by the College. The policy covers all tobacco products, including cigarettes, cigars, hookah-smoked products, electronic smoking devices/electronic cigarettes, bidis, kreteks, electronic aerosol delivery systems, smokeless tobacco, and snuff. Use of any kind of tobacco product is prohibited in the residence halls.

16. Windows

Students are prohibited from moving or removing window screens, window bars, window safety bars or windows from their tracks or frames. Students will be immediately assessed replacement costs for removal of these items. No one is permitted to sit on a window sill or to lean out of windows. Residents are also not allowed to store or hang objects, including antennae and aerials, in front of or outside of windows. Dropping objects or throwing projectiles from windows, or breaking window glass is also not allowed. Stereos and speakers are not permitted in windows. Screens that slide open must be left closed at all times.