STUDENT HANDBOOK

DEAN OF THE COLLEGE
2026–2027



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2026–2027

The information contained in this handbook applies to the academic year 2026–2027. The policies contained herein are effective as of July 1, 2026, and apply from July 1, 2026, through June 30, 2027; however, this handbook is not to be regarded as a contract between the student and the University, and the University reserves the right to change requirements, policies, procedures, rules, and regulations set forth in this handbook without prior notice, in accordance with established procedures or where required by state and federal laws.

Colgate University Student Handbook 2026–2027

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Introduction

Mission

Colgate's mission is to provide a demanding, expansive, educational experience to a select group of diverse, talented, intellectually sophisticated students who are capable of challenging themselves, their peers, and their teachers in a setting that brings together living and learning. The purpose of the University is to develop wise, thoughtful, critical thinkers and perceptive leaders by challenging young men and women to fulfill their potential through residence in a community that values intellectual rigor and respects the complexity of human understanding.

Colgate University is a small highly selective residential liberal arts college for men and women of talent who are preparing for lives of leadership and productive citizenship. The Colgate faculty is a community of scholars committed to teaching in the classroom, the laboratory, the studio, and the library. Teaching is Colgate's first responsibility, serving not only to transmit knowledge but also to transform and extend it through a demanding, imaginative curriculum. Faculty scholarship complements teaching as it advances knowledge. Colgate maintains an ideal size that allows students to work closely with the faculty; it is neither a giant research university nor a tiny liberal arts college. The dialogue between faculty and students provides exciting opportunities for independent work.

As a residential college, Colgate is committed to the belief that learning takes place in many settings. Learning must serve life, and the opportunity to live together in a variety of settings encourages interpersonal exploration, expands mutual understanding, and supports a broadened perspective within a caring, humane community. The residential community provides a setting in which students gain maturity by taking responsibility for their actions and by coming to understand the impact of those actions upon others in an environment that is neither permissive nor authoritarian, but conducive to purposeful engagement.

Colgate is an inclusive institution with diverse students and faculty. With a mission to educate leaders who will and must come from all societal groups, Colgate is committed to educating students to virtue and encourages them to respond openly and sensitively to others who are different from themselves. Within the limitations of its resources, Colgate extends opportunities to academically qualified students without regard to their ability to finance their education.

While we celebrate our diversity, we function as one institution. Although we work together for the success of the University, we also recognize that our differences enrich the experiences of all of us. Groups that lead a separate existence do not support the whole, and those who forsake their culture impoverish all, depriving us of the richness of America's cultural background. We celebrate that difficult balance between the commonalities of human experience and the particularities of our individual lives.

The sense of community that begins in student/faculty dialogue and continues in the residential college is furthered by Colgate's general education program. The faculty at Colgate are deeply committed to the idea that the common experience of a shared core curriculum provides the foundation for dialogue both in the classroom and in campus residences. Students and faculty engage with those persistent questions and problems that are general to human life as well as new questions raised by technological developments and the proliferation of knowledge. General education at Colgate focuses on questions that transcend disciplinary interests and lie at the intersection of the social, political, economic, and philosophical transformations that have marked the 20th century.

To understand the human condition and the world in which we live requires both analysis and synthesis. We divide knowledge into manageable pieces to achieve understanding in depth, and we integrate the particular to achieve general understanding. Colgate offers a broad array of academic majors, both disciplinary and interdisciplinary, to assure learning in depth, while the program of general education synthesizes the insights of the disciplines into a more coherent understanding of human experience.

The general education sequence of courses takes students not only to various historical moments but also to a variety of social and cultural locations. Colgate puts different cultures, Western and non-Western, in conversation with one another in order that students might see that culture, like the human condition, is not given *a priori*; it is learned. In order to build upon the knowledge gained in the general education program and to enable students to increase their capacity to view their own culture and to learn how others see us, Colgate annually offers an extensive array of faculty-directed study abroad programs in more than 20 locations in Europe, Asia, Africa, and Latin America. Orientation programs enable students, regardless of their area of study, to prepare for study abroad by examining what it means to live in another culture, and they share their experiences when they return to campus. Almost half of each class participates in some form of off-campus study during their undergraduate career.

Recognizing that we know the world in many ways, Colgate educates the whole person. Those ways of knowing include the engagement of both mind and body with the external world. The fine and performing arts add the challenge of self-discipline and self-expression to the Colgate experience. The arts, which lie at the center of our eternal reinvention of culture, engage students' creative capacities and enhance their understanding of the world even as they entertain us. With flourishing programs — both curricular and extracurricular — in writing, music, the visual arts, theater, and dance, Colgate is continually enriched by the talents of its students and faculty. In like manner, the exhilaration of physical challenge, the value of group effort to achieve common ends, and the confidence that comes with developing the skills we need to participate in a lifetime of healthy activity are brought together in challenging athletic and outdoor recreational programs that encourage students to develop their personal potential and experience the cohesion of shared purpose.

Finally, Colgate recognizes that those who lead are obligated to help others in need. That obligation must be nurtured, especially in a society that stresses the personal over the communal. Colgate is a nonsectarian institution, but it emphasizes individual and social responsibility to serve the less fortunate. Colgate engages this obligation through an extensive program of service learning and through fostering an ethos that balances individual freedom with social good. Service activities increasingly enhance classroom understanding of social institutions and their expression.

In sum, the mission of Colgate University is to create and nurture an environment most conducive to the creation of self-knowledge and public knowledge.

Goals of a Colgate Education

A Colgate education should enable students to:

1. See themselves honestly and critically within a global and historical perspective: recognize that their beliefs, identities, interests, and values are in part a reflection of their background, education, and life experiences.
2. Understand the methodology, modes of thought, content, and discourse of a particular scholarly discipline: articulate questions for research and craft a coherent argument so as to produce a substantial work in their chosen field.
3. Conduct interdisciplinary inquiry: synthesize viewpoints from multiple disciplinary perspectives so as to overcome the limitations of any one perspective.
4. Appreciate the myriad modes of human creative expression across time and place.
5. Investigate human behavior, social relations, and institutions in order to understand the complex relationship between self and society.
6. Examine natural phenomena using the methods of science, and understand the role of science in contemporary society.
7. Acquire valuable habits of mind: listen and read well; think critically and creatively; ask challenging questions; gather relevant information and construct cogent arguments to answer them.
8. Communicate well: speak and write correctly and precisely; speak and read a second language; present information effectively.
9. Set an example of ethical behavior in public and in private: take a principled stand for what they believe and be accountable for their actions; uphold the legal and ethical uses of information.
10. Be engaged citizens and strive for a just society: embrace their responsibilities to local, national, and global communities; use their influence for the benefit of others.
11. Respect nature and the diversity of life on earth: recognize their individual and collective responsibilities for the stewardship of the earth's resources and the natural environment.
12. Grow in both confidence and humility: affirm a set of values while respecting and learning from the diverse perspectives, identities, ways of life, and philosophies of others.
13. Continue learning beyond college: sustain a lifelong curiosity and grow in knowledge and wisdom.

Academic Freedom and Freedom of Expression

Colgate's Task Force on Academic Freedom and Freedom of Expression was formed by President Brian W. Casey in the summer of 2017, after consultation with Colgate's Faculty Affairs Committee. The Task Force was composed of 13 members of the Colgate community, including representatives of the faculty, staff, Board of Trustees, and student body. President Casey charged the Task Force with the following to guide their efforts:

> "Academic freedom and freedom of expression being central to the academic mission of Colgate University and to the enterprise of higher education generally, the Colgate Task Force on Academic Freedom and Freedom of Expression is charged with reviewing the history of academic freedom and freedom of expression policies and developments at Colgate University and drafting a statement on academic freedom and the freedom of expression as it relates to all sectors of the University's community. The task force will recommend the statement for consideration by the faculty, the Board of Trustees, and the Student Government Association."

In 2018, the Report on Academic Freedom and Freedom of Expression was endorsed by the Board of Trustees, faculty, and the Student Government Association.

See online at **colgate.edu/academicfreedom**

Student Life

The Vice President and Dean of the College, Paul J. McLoughlin II, members of the dean's staff, and numerous other offices and departments are concerned with the quality of student life beyond the classroom. Extracurricular activities at the University are intended to complement and enhance a student's academic experience, and a wide range of programs and services are conducted for this purpose. A listing of Student Life information can be found in the University Catalog.

Administrative Deans

Every student at Colgate is assigned an administrative dean who can provide advice and assistance. The administrative deans work collaboratively with academic advisers to assist students in achieving personal and academic success. Students may refer to their portal for the names of both their academic adviser and administrative dean, and are encouraged to access these valuable resources throughout their time at Colgate.

Working collaboratively with academic advisers, administrative deans assist students with interpretation of the University's policies and procedures, and answer questions pertaining to: graduation requirements; attendance patterns; medical, personal, or academic leaves of absence; withdrawal from the University; disciplinary matters; or emergencies or problems that may affect the quality of a student's academic work. Administrative deans are available to assist students with personal issues and may, at the request of the student, contact others in the Colgate community or elsewhere who may be better positioned to assist, depending on the situation.

Administrative deans are also available for consultation with instructors and academic advisers regarding questions of University policy, as well as on student academic progress. In this regard, throughout the semester, faculty members are asked to alert a student's administrative dean if their absences from class are excessive and/or they are experiencing academic difficulty in a course. Administrative deans may also request a specific progress report at any time if the dean feels that the student's academic status is in question. Other areas of mutual concern between a faculty member and an administrative dean include: authorization of incomplete grades, verification of prolonged absence from class, and academic standing.

Colgate University, as a matter of policy, regards students as adults and therefore encourages them to take responsibility for their academic and personal lives at Colgate; however, in the event that an administrative dean feels that a student's Colgate career is in jeopardy for health, academic, or disciplinary reasons, the University may contact the student's parents, guardians, or next of kin.

Academic Adviser

The academic adviser, as the title implies, provides advice to students on their academic life of the college, and assists them in planning their academic programs and course schedules, selecting majors, and examining postgraduate plans. The academic adviser is also frequently called upon to write letters of recommendation.

The faculty member who teaches a student's first-year seminar serves as their academic adviser for the first two years, although after the first semester, a student may change academic advisers. In the spring term of the second year, students choose an academic adviser in the academic department or program that they have chosen for their major. If their academic adviser goes on sabbatical, leave, or leaves the University, the student should request another academic adviser through the same department or program.

For more information on the role of the academic adviser, see Academic Advising in the *University Catalog*.

Student Rights and Responsibilities

Colgate University has taken a number of steps to codify student rights and responsibilities. The resultant codes and policy statements are collected in this handbook. These codes and policies apply to matriculated or enrolled Colgate students, whether they are on or off campus.

Colgate Code of Student Rights and Responsibilities

The Colgate University Code of Student Rights and Responsibilities was approved and adopted by the University Council on March 12, 1975, and modifications have been made periodically through the University governance system. The code deals with those rights and responsibilities that are of particular importance to students as members of Colgate University, and it appears below in its entirety.

Preamble

This Code of Student Rights and Responsibilities attempts to clarify, enumerate, and gather rights and responsibilities that are of particular importance to students as members of Colgate University. Students are also members of the community at large, and no enumeration of their rights and responsibilities as students shall be deemed to conflict with rights they enjoy and rightful responsibilities they acquire in becoming citizens of Colgate. Furthermore, this particular Code of Student Rights and Responsibilities shall not be presumed to preclude other rights and responsibilities that properly belong to students as members of an educational community. Colgate University is constantly evolving, and the rights and responsibilities of members of this community must be regularly reassessed.

In order to create the best possible climate for learning, the University recognizes the importance of providing personnel and facilities of high quality and of maintaining the rights of free inquiry, expression, and assembly. In addition, the University recognizes the need to protect the inviolability of the student's personal and civil rights: specifically, the right to be secure in one's person, speech, living quarters, papers, and effects against unreasonable search and seizure; and the freedom from disciplinary sanction except by due process, with avenues of recourse available when a student claims to have been subjected to prejudicious, discriminatory, or capricious treatment.

Students are expected to make the best possible use of the educational resources of the University. In addition, they are expected to abide by the rules, regulations, and procedures that the University has developed to implement its educational objectives and to respect the University's right to safeguard property, ensure the safety of individuals, and maintain public order on its premises.

It is not the intention of this Code nor in the power of the University governance system to change the bylaws of the Board of Trustees of Colgate University, nor is it the intention of this Code to abridge the rights and responsibilities of other members of the Colgate community who are not students.

The responsibility for interpreting and for maintaining the rights and responsibilities of students at Colgate University belongs to the Vice President and Dean of the College, Paul J. McLoughlin II, who may be advised in this responsibility by the Student Affairs Board.

Campus Expression

Pursuit of a liberal arts education requires an atmosphere conducive to the full and free expression of opinion. Responsive membership in the Colgate University community also requires a respectful awareness of individual and group sensibilities.

1. The right of discussion and expression of all views is a basic principle within the University. In the course of any public lecture, a speaker has the right to present their subject without interruption. Students or other prospective members of the audience may request beforehand the right to question the speaker at the speaker's convenience and shall be informed prior to the speaker's presentation what the response has been to such a request.

2. Students, student groups, and student organizations may invite and hear any persons of their own choosing subject to the requirements of the use of University facilities.

3. A student, student group, or student organization may distribute without prior approval written material in areas wherein distribution shall not interfere with classes or University-authorized functions.

4. The right to peaceful demonstration is accepted by the University with the understanding that Colgate must act to ensure the safety of individuals, the protection of property, and the continuation of the academic process without interference on its premises.

5. The University condemns statements, symbols, and actions that denigrate or ridicule an individual or group because of race, religion, ethnicity, sex, sexual orientation, gender identity or gender expression, or status as transgender or gender transitioning when such statements, symbols, and actions clearly serve no educational purpose. Colgate also greatly values freedom of expression and academic freedom, as expressed in the University's "Commitment to Freedom of Expression and Academic Freedom." This provision will be interpreted in accordance with that commitment, which affirms "the University should support a climate of debate and deliberation that is open and robust, and must not suppress ideas because some consider them wrong, immoral, or offensive."

College Residences

1. As a residential college, Colgate recognizes the importance of offering living units that provide a supportive environment within which each student can develop to their fullest abilities. The right of students to sleep and study in their rooms, subject to reasonable needs and schedules, are the basic priorities of residential life at the University.

2. All first-year, sophomore, junior, and senior students are required to live in University-owned residences. Juniors and seniors who are members of a fraternity or sorority may live or be required to reside in the organization's chapter house owned by the University. Seniors may live in private off-campus housing, but only if approved through the private off-campus housing lottery and/or by permission of the Office of Residential Life.

3. Nothing in the residence hall housing agreement may expressly or implicitly give University officials authority to consent to a search of a student's room by police or other government officials without a warrant authorized by law. Staff members may enter a student's room out of imminent concern for the health and safety of the residents.

4. Where there is a reasonable basis to believe that a violation has taken place or is occurring, the Vice President and Dean of the College may authorize a search of a student's room in a residence hall by members of the University to determine compliance with federal, state, and local criminal law or University regulations.

    a. The Vice President and Dean of the College or designee shall authorize the search and state in writing the purpose thereof before the search takes place. Any search authorization may subsequently be reviewed by the Student Affairs Board upon request of the involved student. The purpose of such review is (a) to determine that the individual's rights were observed, and (b) to confirm that the authorization was well-founded. For example, authorization to search a room for stolen property would be considered well-founded and would not prevent punitive measures being taken on the basis of evidence discovered during the search that revealed another offense. If the Student Affairs Board determines that the authorization was improper, nothing discovered or seized during the search shall be used as evidence before the University Student Conduct Board, although stolen property shall be returned to the owner(s).

    b. When a search of a student's room has been authorized, it should be done in the presence of that student or the students in question.

    c. In the absence of the student, the Vice President and Dean of the College or their delegate shall have an officer of the living unit or an elected student representative of the student government association witness the search.

    d. When a student has been absent while their room was searched, the student shall be informed of the search and of the basis for that search.

5. When the appropriate University officials plan to seek access to a student room in a residence hall for improvement, repairs, or for reasons of safety, including, but not limited to, fire safety checks, the occupant shall be notified in advance, although there may be entry without notice in connection with scheduled fire drills or in emergencies where imminent danger to life, safety, health, or property is reasonably feared (including, without limitation, responses to all fire alarms not triggered as part of a scheduled drill where smoke or fire is expected or visible).

Communications Media

1. Participants in student campus communications media organizations, including editors and managers, are granted freedom of oral and written expression, freedom from advance approval of copy, and freedom from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes are editors and managers subject to sanctions.

2. This freedom of expression entails a corollary obligation on the part of the participants and any student making written or verbal statements on University premises or while a part of a University-sanctioned program, group, or organization to observe the standards of civil laws that protect the rights of individuals and institutions against slander, libel, and falsehood.

3. All student communications shall make periodic public statements that the opinions expressed are not necessarily those of the University or the Student Association.

4. Nothing in this section shall prevent the University from complying with the rules and regulations of the Federal Communications Commission that apply to Colgate media.

Maintenance of Student Records

1. Information regarding students may be recorded and retained when it has substantial, demonstrable relevance to the educational and related purposes of the University. Information lacking such relevance, including information that may be contained in files specified in part b of this section, shall be expunged by appropriate University officials whenever it is lawful to do so. Information "subject to student inspection" as defined by the Family Educational Rights and Privacy Act of 1974 may not be expunged or altered in any way until a student or former student who has properly requested to see such information has been given reasonable access to it.

2. Files shall be maintained of the following: academic records and supporting documents, general education records; records of disciplinary proceedings; medical and psychiatric records; financial aid records; and placement records.

    a. Administrative records kept by the Vice President and Dean of the College or members of the staff shall be known as the student's general education file. It shall include the student's admission file, correspondence by or to the University pertaining to the student, interview reports made by the Dean or members of the Vice President and Dean of the College staff, official University Student Conduct Board correspondence, and any records about formal action taken by the University, officials of the University, or officially recognized groups of the University with regard to the student.

    b. Official academic records, including transcripts thereof, should be an unabridged and chronological record of all courses undertaken with grades received and progress toward graduation. Transcripts of academic records shall contain only information about academic status, including any interruptions in the student's progress. Except for intra-institutional use, academic records and transcripts shall be made available only with the formal consent of the student involved.

    c. Disciplinary records maintained by the disciplinary officer are for internal use and as such shall not be made available to persons outside the institution except on formal authorization of the student involved, or under legal compulsion. Intra-institutional use shall be restricted to the disciplinary officer, who may disclose and interpret the record to other officials in the institution when necessary for the discharge of their duties.

    d. Medical records shall be under the direct supervision of a member of Student Health Services in order to ensure the special legal protection which is assured communications between physician and patient.

    e. Counseling records kept by any member of the University whose position relative to students is defined by law as "privileged communication" shall be under the direct supervision of that counselor. Such counselors include people working as physicians, psychologists, mental health therapists, psychiatrists, lawyers, and clergy working in that capacity for the University.

    f. Consistent with state and federal regulations, financial records of students, including those related to the granting of scholarships and other assistance based on financial need, shall be kept strictly confidential at the discretion of the source of the information.

    g. Office of Career Services records are created, maintained, and used to assist in the student's education, development, and employment not only as an undergraduate, but also throughout their lifetime. The credentials provided by the institution shall contain chronological listings of the study and employment of the candidates with confidential references written by faculty and employers designated by the candidates and released only with the candidate's permission. The credentials shall provide no information in conflict with fair employment legislation, nor any information the release of which is the responsibility of offices other than the Office of Career Services.

3. The privacy and confidentiality of all student records shall be preserved through observation of the following procedures:

    a. Official student academic records, supporting documents, and other student files shall be maintained only by members of the institution staff employed for that purpose.

    b. No entry may be made on a student's academic record and no document may be placed in a student's academic file without actual notice to the student. Publication of grades and announcement of honors constitute notice.

    c. No record identifying an individual student may be made in relation to any of the following matters except with the written permission of the student: race, religion, political or social views, and membership in any organization other than honorary and professional organizations related to the educational process.

    d. The University complies with the Family Educational Rights and Privacy Act of 1974 and reserves the right to offer the additional protection to students enumerated in this code and by any other administrative ruling or regulation.

    e. In releasing data for research, the institution must take due care to protect the identity of the student. Before submitting information from student records to a researcher, the institution shall be assured that the research agency will follow acceptable standards of confidentiality. Whenever the limits of confidentiality are in question, the institution shall obtain the formal consent of the student prior to using information about the student for research purposes.

4. It is the responsibility of the student to report their current local address, place of residence, and home address to the registrar.

Visits of Consultants

1. Consultants shall be free to appear on campus for the purpose of conducting interviews or distributing information regarding postgraduate employment or military service, provided that they conduct their activities under the auspices of the Office of Career Services or the relevant academic discipline and that they utilize the facilities provided by the University sponsor.

2. Advance notice of all visits by consultants to the Office of Career Services must be posted by the center at least one week before each visit.

Student Organizations and Groups

1. Organizations and groups may be established at Colgate University. They shall be defined as any number of individuals who: use the campus as the focus for their activities and/or use University facilities, or use student activity fees, or use the University name; or draw their membership primarily from among the student body of the University.

    a. An organization is a formally organized body of students with an officer or officers, intending to remain organized on a regular and yearly basis.

    b. A group is a number of persons gathered on an informal basis with a specific concern who designate one spokesperson for the group's activities.

2. The following requirements shall apply specifically to organizations: a statement of purpose or purposes, constitution and by-laws, and compliance with the Student Organization Relationship Statement and/or other applicable University requirements for recognition. The names and addresses of current officers must be filed with the University department designated for such purposes.

3. The following conditions shall apply specifically to groups: groups of a continuing nature may be asked to become organized if their activities become such that an informal structure no longer meets the necessity for establishing the group's responsibility, as determined by the University department designated for such purposes.

4. Membership in an extramural organization shall not, in itself, disqualify the campus branch or chapter of any group or organization from privileges to which it is entitled as a University group or organization, but where there is such affiliation, the extramural organization's constitution, by-laws, and amendments shall be filed with the University department designated for such purposes.

5. Recognition of a group or organization by Colgate University implies neither approval nor disapproval of the purposes, objectives, and policies of the organization.

6. Organizations and groups may keep membership lists confidential and solely for the use of the organization, with the exception that names and addresses of the relevant officers and spokespersons are required as a condition of recognition.

7. Upon request, the University department designated for such purposes may locate and assign Colgate University facilities to authorized organizations, groups, or individuals for regular business meetings, for social programs, or for programs open to the public with the following provisions:

    a. Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the space assigned, to regulate time and use, and to ensure proper maintenance.

    b. Allocation of space shall be made based on the order of receipt of requests and the demonstrated need of the organization, group, or individual.

    c. The University shall publish any rental charges levied for use of its facilities.

    d. Physical abuse of assigned facilities shall result in reasonable limitations on future allocation of space to offending parties, and the University will require restitution for damages.

    e. The individual, group, or organization requesting space must inform the University of the general purpose of any meeting.

8. The Colgate University Student Senate may allocate institutional funds derived from student fees for use by recognized organizations and groups otherwise eligible that:

    a. submit their budgets to the Colgate Student Senate for approval; and

    b. provide on a schedule determined by the student senate a statement of income and expenses.

9. The University may require disclosure of sources of all funds of any organization that requests the use of University facilities or funds from the University or the student senate.

10. No individual, group, or organization may use the University's name without the explicit authorization of the University.

11. No member of the Colgate University community shall be denied membership in any organization or group because of gender, gender identity or expression, race, religion, national origin, ethnicity, color, age, marital status, citizenship, sexual orientation, or disability; provided that (1) the foregoing prohibition on discrimination on the basis of gender shall not apply to membership policies of student organizations recognized as single-gender organizations prior to October 11, 2013, and (2) fraternities and sororities may have policies that provide for single-gender membership.

12. A group or organization will be held collectively responsible (i.e., subject to group/organizational discipline) when it is reasonable to attribute the actions of at least some of its members to the group or organization as a whole. Among the situations in which group/organizational discipline may be imposed are the following:

    a. any act or omission in violation of the Colgate University Code of Student Conduct, or University policy, that has received the explicit or implicit consent or encouragement of one or more of the group's or organization's officers;

    b. any act or omission in violation of the Colgate University Code of Student Conduct, or University policy, that has been undertaken by one or more members of the group or organization as a result of the unreasonable failure of the officers to oversee the conduct of the group's or organization's membership and/or group or organizational activities;

    c. any failure of the officers of the group or organization to ensure the adoption of reasonable precautions to avoid a violation of the Colgate University Code of Student Conduct, or University policy; or

    d. any policy or practice of the group or organization that results in a violation of the Colgate University Code of Student Conduct, or University policy.

A group or organization found responsible in accordance with the foregoing may have sanctions imposed against it pursuant to applicable University disciplinary procedures. A group or organization will not be held responsible for its members' actions that do not fall under the conditions stated above.

Termination of Employment

1. No student shall be discharged from employment or suffer termination of student aid by the order or request of a University employee without written notice, an opportunity to be heard by the University employee issuing such an order or request and a right of appeal to the Vice President and Dean of the College (or their designate).

Enforcement

1. Any adversely affected student may present evidence of alleged violations of their rights outlined in this code by University employees or officers of the Student Affairs Board. A majority of the Committee may report violations to the Vice President and Dean of the College for appropriate action to be determined by the Vice President. A majority of the Committee may also report violations of the code to the campus press.

Distribution

1. This code and all other University rules and regulations directly pertaining to students shall be published in one publication and made publicly accessible to all members of the University community.

University Policy on Nondiscrimination

Colgate fully subscribes to and complies with all federal and state civil rights laws banning discrimination in private institutions of higher education. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Article 129-B. Colgate is committed not only to compliance with these laws but also to promoting a community that lives out the values these equal opportunity laws envision.

Colgate will not discriminate against any person **in admission, employment, or administration of its programs and activities** because of race, color, sex, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, sexual orientation, gender identity and expression, status as transgender or gender transitioning, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, domestic violence victim status, or any other protected category under applicable local, state, or federal law.

The Title IX Coordinator and Equity and Diversity Officer oversees implementation of the Non-discrimination/Title IX Procedures for responding to complaints of sexual harassment, sexual assault, discrimination, discriminatory harassment, and other violations of this policy.

Inquiries may be made to:

Amy Gordon
Title IX Coordinator
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-7014

Inquiries and complaints may be made externally to:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline Phone: 800-421-3481

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), often referred to as the "Buckley Amendment," affords students certain rights with respect to their educational records. They are:

1. The right to inspect and review their own educational records within 45 days of the day the University receives their request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official written requests that identify the record(s) they wish to inspect.

2. The University official will make arrangements for access and notify the student of the time and the place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official should advise the student of the correct official to whom the request should be addressed.

3. The right to request that the University amend an educational record that the student believes is inaccurate or misleading. The student should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

4. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of their 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.

5. The right to consent to disclosure of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosures without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks.

A school officer has a legitimate interest if they need to review an education record in order to fulfill their professional responsibility.

"Directory information" may be disclosed without the student's consent. "Directory information" includes the student's name, class year, address, telephone listing, email address, date and place of birth, major and minor field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, photographs, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student, and any other similar information.

A student has the right to withhold the public release of any or all information directly pertaining to them by giving advance notice to the Office of the Registrar prior to the end of the drop/add period for each term.

Questions and Complaints

Any questions pertaining to Colgate University's policy under the federal regulations protecting the privacy rights of students should be referred to the Office of the Registrar. Complaints regarding alleged violations by the University of rights protected by the federal statute and regulations may be submitted to: Family Policy Compliance Office, U.S. Dept. of Education, 600 Independence Ave., SW, Washington, DC 20202-4605.

Recommendation Letters, Applications, and Inquiries

1. It is the student's responsibility to answer honestly and fully all questions asked on graduate school, graduate fellowship, employment, and other applications.

2. When providing a recommendation for students or former students, administrative deans and those acting on their behalf shall answer honestly and fully such questions asked of them.

3. Every recommendation mentioning a disciplinary action shall state that doing so is mandated by University policy. The recommender may comment on the relevance of the disciplinary action to the student's suitability for the program, job, or fellowship for which they are applying.

4. Academic suspensions or dismissals, involuntary leaves of absence and University Student Conduct Board suspensions or dismissals shall always be mentioned in all recommendations.

5. When no questions about discipline are asked directly, the recommender shall:

    a. mention all cases of disciplinary sanctions (Probations, or University Student Conduct Board sanctions) currently in effect and any disciplinary sanctions within four months of the date of the recommendation.

    b. mention past cases of discipline if they are relevant. For example:

        i. any case of violent behavior and all cases of similar severity should be mentioned.

        ii. a pattern of irresponsible behavior or immature behavior that raises concerns about the student's current maturity should be mentioned.

Grievance Policy

Student's Freedom of Expression and Inquiry

At its meeting of January 21, 1974, the Committee on Faculty Affairs approved the following statement:

The professor in the classroom and in conference should, consistent with the nature of the course, encourage free discussion, inquiry, and expression. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

Students should have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

The Academic Honor Code and Academic Dishonesty

Background

In the spring term of 1999, Colgate University approved a new Academic Honor Code that went into effect in the fall term of 2000. The Academic Honor Code itself appears below, and all Colgate students are expected to be familiar with the code and abide by it. For a more extensive discussion of academic dishonesty, refer to The Colgate University Academic Honor Code.

The Academic Honor Code

At Colgate University, we believe honesty and integrity are fundamental in a community dedicated to learning, personal development, and a search for understanding. We revere these values and hold them essential in promoting personal responsibility, moral and intellectual leadership, and pride in ourselves and our University.

As Colgate students, we will represent ourselves truthfully, claim only work that is our own, and engage honestly in all academic assignments.

Since articulated standards and expectations can influence attitudes, and because each of us shares the responsibility for maintaining academic integrity, we are committed to upholding the Academic Honor Code.

Academic Honor Pledge

As a member of the Colgate community, I pledge to live by and to support the letter and spirit of Colgate's Academic Honor Code.

Reporting Procedures

Members of the Colgate community who misrepresent themselves or their work through cheating, fabrication, facilitation, or plagiarism, or who suspect another of such misrepresentation are expected to follow the outlined reporting procedures.

Consistent with the basic expectations of the Academic Honor Code, students who believe they may have violated Colgate's standards of academic integrity are expected to acknowledge their concerns to the course instructor or to their academic or administrative dean.

A student who observes what may be academically dishonest behavior on the part of another student is expected to share that concern with the instructor of the course. The instructor will review the elements of the complaint, and if the instructor believes that the Academic Honor Code has been violated, they will contact the University disciplinary officer, who will take appropriate action as outlined in this student handbook.

Academic Dishonesty

Briefly stated, Colgate University defines academic dishonesty as ***any attempt to misrepresent one's performance on any academic exercise submitted for evaluation***. Academic departments and programs, at their option, may further clarify this general definition in writing (and distribute this clarification to students taking courses in that department). A violation of the department's or program's statement shall be considered a violation of the academic dishonesty policy of the University as a whole. In any situation where a student questions the appropriateness of representing a work as their own, it will be the student's responsibility to raise the question with the instructor. ***Ignorance of University policy concerning academic dishonesty shall not be a defense in any conduct board proceeding.***

Colgate University recognizes four forms of academic dishonesty: Cheating, Fabrication (of data or sources), Facilitating Academic Dishonesty, and Plagiarism. The full definitions of these forms of academic dishonesty are listed below. All students are urged to read these definitions carefully to gain a complete understanding of behavior that the University considers academically dishonest. ***Ignorance of the definitions will not be seen as a defense in University Conduct Board proceedings.***

Cheating

Cheating shall be defined as attempting to use prohibited materials, information, or study aids in any academic exercise. To prevent possible claims of cheating, there should be strict adherence to the following guidelines:

Faculty members should state, in advance, their policies and procedures concerning examinations and other academic exercises. Students should request such information if a faculty member neglects to offer it. For questions regarding the use of Generative Artificial Intelligence ("AI"), refer to the Baseline Policy on Generative Artificial Intelligence Use in Student Work below.

It is especially important that clear guidelines be established and followed concerning the use of "take-home" examinations.

Students completing an "in-class" or "take-home" examination should assume that any external assistance (e.g., books, notes, calculators, conversations with others) is prohibited unless specifically authorized by the instructor.

Substantial portions of the same academic work may not be submitted for credit or honors more than once without the permission of the instructor(s).

Students must not allow others to conduct research or prepare any work for them without advance authorization from the instructor. This parameter includes, but is not restricted to, commercial term paper companies and files of past papers.

Fabrication

Fabrication shall be defined as the attempt to falsify or invent without authorization any information or citation in an academic exercise. To prevent possible claims of fabrication, there should be strict adherence to the following guidelines:

1. "Invented" information may not be used in any laboratory experiment or other academic exercise without notice to and authorization from the instructor. It would be improper, for example, to analyze one sample in an experiment and covertly "invent" data based on that single experiment for several more required analyses.

2. Students should acknowledge the actual source from which they have obtained cited information. For example, a writer should not reproduce a quotation found in a book review and indicate that the quotation was obtained from the book itself.

Facilitating Academic Dishonesty

Facilitating Academic Dishonesty shall be defined as attempting to help another to commit an act of academic dishonesty. For example, if a student gives another student a specific answer to a homework assignment and knows that such assistance was either prohibited or would not be acknowledged, they are facilitating academic dishonesty.

Plagiarism

Plagiarism is the act of using another person's work without clearly acknowledging your debt to the original source. This includes the borrowing of words, ideas, images, tables, charts, etc., from books, articles, web pages, interviews, television shows, films, songs, or any other medium.

To avoid plagiarizing, always provide a specific citation to the original source in each instance in which you have borrowed from another's work. In addition, always use quotation marks or indented block quotations when phrases or sentences are borrowed directly, and put summaries and paraphrases in your own words (because merely rearranging someone else's words in order to avoid using quotation marks is neither honest nor good scholarship).

Students should always consult with their professor if they have questions about proper scholarly procedures or what might constitute plagiarism on a particular assignment.

Colgate expects all students to understand what plagiarism is and to produce work that is honest and meets the high standards expected for scholarly discourse. Ignorance is not an excuse; any failure to acknowledge sources properly constitutes plagiarism. Nevertheless, plagiarism in an assignment may vary in extent — ranging from an isolated instance to being pervasive throughout — and in intent — ranging from some level of disregard for proper scholarly procedures to a clear and obvious intent to deceive.

Colgate's procedures for handling cases of plagiarism and sanctions depend upon the nature of the offense. Instances of plagiarism that are less serious are normally handled directly by the faculty member for the course with a penalty, such as a grade reduction on the particular assignment, as determined by the faculty member. In such cases, the faculty member must turn in a resolution of plagiarism form, signed by the student, that will remain on file in the Office of the Dean of the College through the student's career at Colgate and will be used to inform decisions on any later complaints of academic dishonesty against the student. Students who are dissatisfied with the resolution proposed by the faculty member may choose to exercise their right to a conduct board hearing. Students may only have one resolution of plagiarism form on file; subsequent allegations will be referred to the University Student Conduct Board.

Cases where plagiarism in an assignment is egregious or where it seems likely that the student's work provides evidence of academic dishonesty — in particular, an intent to deceive — are referred to the processes outlined in the Procedures of the System of University Standards and Student Conduct. The usual standard is that if a student makes no obvious attempt to provide a citation or source for any significant borrowed material, then there is a presumption that the student has committed an act of academic dishonesty. If the board determines that the nature of the plagiarism in the assignment and the evidence presented in the hearing warrant a finding of academic dishonesty, then the minimum penalty will be failure in the course and probation through tenure. If the board determines that plagiarism has occurred but that the plagiarism does not constitute academic dishonesty, the board will refer the case back to the faculty member to complete the resolution of plagiarism form. In the event that the conduct board finds the student not responsible, i.e., that plagiarism has not occurred, then the faculty member will grade the assignment without imposing any penalty.

Colgate University Baseline Policy on Generative Artificial Intelligence Use in Student Work

Colgate University expects that all student work — whether it involves brainstorming, outlining, drafting, or final submission — will be generated by students themselves, working individually or in groups, as directed by the course instructor, syllabus, or assignment prompt instructions.

Generative Artificial Intelligence ("AI") refers to any technologies that can autonomously produce text, images, code, media, translations, or other content. Examples include but are not limited to Grammarly, ChatGPT, Claude, Gemini, DALL·E, GitHub Copilot, and Slidesgo. This policy does not consider basic spelling and grammar correction tools (e.g., those embedded in standard word processors) to be AI, although individual faculty may prohibit the use of these tools as well.

Unless explicitly permitted by the instructor, the use of AI tools for any part of any academic exercise submitted for evaluation constitutes Academic Dishonesty (cheating).

This includes, but is not limited to:

- using AI to generate ideas, outlines, titles, or drafts;
- using AI to summarize course readings addressed in the assignment;
- submitting AI-generated text or media as one's own;
- using AI to complete problem sets, coding tasks, or data analysis;
- having AI edit or revise written work.

Any instance in which a student allows another person or entity — including an AI system — to assist with their work, without authorization, is treated as academic dishonesty (*and in the case of knowingly using AI when prohibited, it is cheating*). This includes purchasing work, hiring others, or outsourcing any part of the academic process to AI tools.

Faculty Discretion and Course-Level Policies

Individual faculty members may choose to be more restrictive than above; for example, limiting use of spell and grammar checking (e.g., in language courses).

Individual faculty members may choose to permit the use of generative AI tools for specific assignments or purposes. Such permissions:

- must be clearly stated in the course syllabus or on the assignment prompt;
- must define the extent and nature of permitted use (e.g., brainstorming only, coding assistance, citation help);
- may differ from one assignment to another within the same course.

In the absence of a clear statement granting permission, the default assumption is that AI is not permitted.

Students should not assume that permission to use AI on one assignment implies blanket permission for the course.

Citation and Attribution

When the use of generative AI is explicitly allowed, students must:

- clearly cite and attribute the AI tool used;
- describe the nature of its use (e.g., "used ChatGPT to generate initial outline");
- follow any course-specific citation guidelines or use an accepted academic citation format (e.g., APA, MLA).

Failure to properly attribute AI use — even when permitted — constitutes a breach of academic honesty. When permitted but improperly cited, AI use may, depending on the circumstances, constitute plagiarism, fabrication, or cheating. When not permitted, it is cheating (and depending upon circumstances, may include fabrication as well).

Avoiding Academic Dishonesty

At Colgate University, academic honesty is assumed to be the norm, and there is no evidence that acts of academic dishonesty are commonplace. Nevertheless, in recognition of the importance the Academic Honor Code places on academic integrity, sanctions for infractions are significant. The community has high standards in this area, and students must be careful to avoid all forms of academic dishonesty. Acts of academic dishonesty can be avoided by: (a) Knowing the definitions of the forms of academic dishonesty recognized and (b) Avoiding these dishonest behaviors scrupulously. Any party's questions concerning the standards or requirements in a course should be referred to the professor to whom the work will be submitted. Careful planning and skillful time management will also help a student avoid instances of academic dishonesty; experience has shown that most acts of plagiarism, cheating, etc., occur when a student runs out of time to properly prepare an assignment or study for an examination or quiz. In some cases, extensions (with or without a grade penalty) may be arranged, but in all cases, it is better to fail an assignment rather than risk the serious consequences of an academic dishonesty infraction. When time has run out, and a student does not believe they will be able to meet an academic deadline, a meeting with the course instructor and/or the administrative dean to consider viable options is in order.

If a student is found responsible for academic dishonesty, the sanctions shall be:

1. For first offenses:
   - failure in the course and probation through tenure, or
   - failure in the course and suspension for one or more semesters.
2. For second offenses:
   - failure in the course and suspension for one or more semesters, or expulsion.

Students returning from a disciplinary suspension are placed on disciplinary probation through tenure.

When a course is repeated after an administrative F has been assigned as a result of an Academic Honor Code violation, both the original F and the subsequent grade will be calculated into the cumulative GPA. For information regarding additional academic policies and requirements, please consult the Colgate University Catalog.

Other Rights and Responsibilities

Students matriculating at Colgate accept membership in a community of scholars dedicated to the pursuit of intellectual growth. The University attempts to provide an atmosphere in which individual freedom and diversity can flourish and where personal growth will accompany the formal learning process. Such a community relies upon the acceptance of individual responsibility as well as respect for the rights of others.

All members of the Colgate community are expected to adhere to local, state, and federal regulations as well as to the University Code of Student Conduct found in this student handbook. Colgate University reserves the right to amend any administrative policy contained in the student handbook without prior notice.

Equity in Athletics Disclosure Act

Pursuant to the Equity in Athletics Disclosure Act, students, prospective students, and members of the public can request information concerning Colgate's intercollegiate athletics program. Interested parties should contact the Vice President and Director of Athletics, 13 Oak Drive, Hamilton, NY 13346, 315-228-7611.

Campus Crime Reporting and Statistics

Colgate University is committed to providing a safe, supportive, and secure environment for the entire University community, including visitors. Campus crime reporting and statistics are made available by way of the Annual Security and Fire Safety Report. In compliance with federal requirements mandated by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092(f)], the Campus Safety department is responsible for preparing, publishing, and distributing the report by October 1 of each year for the purpose of disclosing and disseminating certain information regarding campus safety and security; crime reporting, disclosure, and statistics; fire protection systems and fire statistics; emergency management; and campus safety and security policies and procedures. Find the publication at colgate.edu/clery-compliance or request a hard copy from Campus Safety at 315-228-7333. Colgate submits crime statistics to the U.S. Department of Education through a web-based data collection system that can be viewed at ope.ed.gov/security.

Student Policies

Accommodations

Policy on Accommodations for Students with Disabilities

The Director for EEO/AA (Office of Human Resources, 315-228-7014) oversees compliance with Section 504 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act (ADA). Colgate seeks to provide students with disabilities with the support services and other reasonable accommodations needed to ensure equal access to the programs and activities of the University. All accommodations are made on a case-by-case basis. A student requesting accommodations is asked to provide appropriate documentation to the director of academic support and disability services.

Student requests for accommodations should be directed to the Executive Director of Student Disability Services at 315-228-7375.

Conduct

Policy on Academic Behavior

It is essential that each Colgate student demonstrates respect for others who are seeking to learn as well as for the faculty member who is leading the instruction. At the same time, the general goals of academic freedom and freedom of expression must always be maintained. Faculty members have the authority, responsibility, and autonomy to effectively manage their academic environments consistent with principles of academic freedom and freedom of expression. The academic setting includes but is not limited to the classroom, laboratory, discussion sections, examinations, office hours, and electronic communications. Behavioral expectations apply to any setting where student grades or other student academic records are affected, including all off-campus study programs.

Students are required to adhere to the behavioral standards articulated in the University Code of Student Conduct as well as to the rules and expectations set forth by the faculty member, and to refrain from disruptive behavior. Disruptive behavior is defined as conduct that interferes with or obstructs the teaching or learning processes within an academic setting, as reasonably determined by the faculty member. This includes, among other things, conduct that distracts or intimidates others in a manner that interferes with instructional activities; fails to adhere to an instructor's policies regarding course expectations; compromises the ability of others to learn; and/or interferes with the normal operations of the University.

Specific examples of disruptive behavior in a classroom setting include, but are not limited to:

- Persistent failure to adhere to the instructor's policies or instructions (e.g. use of electronic devices, eating/drinking in class, engaging in activities not related to the class, etc.)
- Monopolizing class discussion and refusing to defer to the instructor, persistent speaking without permission
- Intentionally disrupting a faculty member's facilitation of the discussion or class activity
- Chronically entering late/leaving early, disruptively moving about the classroom
- Filming, photographing, or recording the class without the instructor's explicit prior permission
- Physically or verbally abusive conduct
- Vulgar or obscene language not directly germane to the subject matter, slurs or other forms of intimidating behavior
- Attending class under the influence of alcohol/drugs
- Express or implied acts of intentional intimidation directed toward an instructor or faculty member
- Cornering or blocking a faculty member's egress from their office/classroom
- Stalking, either physical or online, including doxing
- Destruction of property

Students admitted to Colgate University are assumed to have the maturity to function appropriately in a variety of instructional situations. When a student's behavior in a classroom, laboratory, or other academic setting is such that the rights of other enrolled students to an effective learning climate are being violated, the student may lose the privilege of attending or receiving credit in the class. Student behavior that disrupts the learning process will not be tolerated and may lead to disciplinary action and/or removal from class, including the loss of course credit. While the resolution of some behavioral concerns may be managed through an educational conversation with a faculty member and/or University administrator, in other cases, an administrative or University Student Conduct Board hearing will be necessary. Decisions regarding the appropriate response to these matters will be determined by the University disciplinary officer in consultation with the relevant faculty. Where necessary to preserve the learning environment pending resolution, a student may be removed from an academic setting by the disciplinary officer on an interim basis. Formal disciplinary action will follow the processes outlined in the System of University Standards and Student Conduct.

Policy on Speech, Expression, and Assembly

Colgate University is committed to upholding principles of free speech and expression, as well as to supporting a wide diversity of ideas and views. The right to freedom of speech and expression, however, is not absolute. It may be constrained to protect the rights and safety of members of the University community as well as to allow the University to fulfill its educational mission.

Accordingly, in the exercise of their rights to free speech, members of the University community are prohibited from violating stated University legitimate time, place, and manner restrictions on speech by:

a. preventing the speech of others, including invited guests and speakers;

b. blocking access to or preventing others' use of university facilities;

c. disrupting classes or any educational function such as lecture, film screening, presentation, or any other educational functions;

d. unreasonably interfering with other university activities.

In addition to these restrictions, community members must adhere to University regulations governing speech and expression in the classroom, on social media, and on posters and distributed material. Expression and speech must avoid retaliation, discrimination, or harassment.

The following regulations highlighted below are related to this Policy:

Related Policy	Handbook Link
Academic Honor Code	Students
Conduct (Academic Behavior and Doxing)	Students
Solicitation and Advertising	Students
Non-discrimination Anti-Harassment	Students – Faculty & Staff
Retaliation	Students – Faculty & Staff

Employees of the University, including students who are serving as employees, must adhere to New York State's employment laws related to discrimination and harassment as well as the responsibilities outlined in the *Employee Handbook*. There are also limitations on the academic freedom of faculty as outlined in the *Faculty Handbook*.

Individuals who violate these restrictions, or whose expressive activity poses a threat to the safety of themselves or others, will be subject to appropriate University actions:

1. Students will be subject to disciplinary procedures according to the *Colgate University Student Handbook* and may be subject to disciplinary sanctions ranging from a warning to possible suspension or expulsion. When violations of these restrictions can be attributed to student organizations and groups, they may be sanctioned according to the Organizational Misconduct Policy [section in student handbook].

2. Faculty members will be subject to disciplinary procedures adopted by the faculty and administered by the Office of the Provost and Dean of the Faculty.

3. Staff will be subject to disciplinary actions outlined in the *Employee Handbook* and administered by Human Resources.

4. Visitors will be directed to leave University property, or be subject to arrest and removal.

Policy on Doxing

Colgate prohibits the electronic distribution of personally identifying information about a member of the Colgate community for the purpose of subjecting that person, or their family or friends, to harassment or placing them in reasonable fear for their safety by or from a third party, or under circumstances in which a reasonable person would reasonably expect such consequences to ensue. Similar actions that are intended or can reasonably be expected to incite or produce unlawful action through the dissemination of personal, private information about another person without their permission are also a violation of this policy and the Colgate Code of Student Conduct.

Policy on Hazing

Hazing, in any form, compromises a student's safety and wellbeing and is counter to Colgate's mission and values. Hazing is prohibited by both Colgate University and New York State.

Colgate University defines hazing as any action or situation that recklessly or intentionally endangers mental, emotional, or physical health or safety of a student in connection with the student's admission into, affiliation with, or as a condition for initial or continued membership in a group, organization, or team. Any situation that creates substantial embarrassment, harassment, or ridicule, or involves the forced, coerced, or implicitly required consumption of food, alcohol, drugs, or other substances in that context, also falls under the definition of hazing.

New York State Definitions

According to NY State Penal Law, Chapter 716, Section 1: (120.16 and 120.17)

Hazing in the first degree

A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.

Hazing in the second degree

A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct, including, but not limited to, making physical contact with or requiring physical activity of such other person, which creates a substantial risk of physical injury to such other person or a third person.

Hazing behavior may also constitute other criminal offenses (e.g., assault, harassment, intimidation or homicide) depending on the nature of the specific activities.

Civil Liability

Members and their parents, group/organization/team leaders/advisors, as well as their organization and national affiliates (as applicable) may be held liable for mental or physical harm that results from hazing.

Examples of Hazing

The following are examples of subtle, harassment, and violent types of hazing that constitute violations of this policy. While this is not an exhaustive list, it provides some common examples of hazing traditions.

Subtle Hazing

Subtle hazing is behavior that emphasizes a power imbalance between new members and other members of the group, organization, or team. It is termed "subtle hazing" because these types of hazing are often taken for granted or are accepted as "harmless" or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group, organization, or team. (Some types of subtle hazing may also be considered harassment hazing.) Examples:

- Deception
- Assigning demerits
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Requiring new members to perform duties not assigned to other members
- Socially isolating new members
- Lineups and drills/tests on meaningless information
- Name calling
- Requiring new members to refer to other members with titles (e.g. "Mr.," "Ms.") while they are identified with demeaning terms
- Expecting certain items (e.g. cigarettes, condoms) to always be in one's possession

Harassment Hazing

Harassment hazing is behavior that confuses, frustrates, and causes undue stress for new members. (Some types of harassment hazing can also be considered violent hazing). Examples:

- Verbal abuse
- Threats or implied threats
- Requiring new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude, or humiliating acts
- Expecting new members to perform personal service to other members such as carrying books, errands, cooking, cleaning, etc.
- Sleep deprivation
- Expecting new members to be deprived of maintaining a normal schedule of bodily cleanliness
- An explicit or implied expectation to harass others

Violent Hazing

Violent hazing is behavior that has the potential to cause significant physical, emotional, and/or psychological pain and/or harm. Examples:

- Forced, coerced, or implicitly required alcohol or other drug consumption
- Beating, paddling, or other forms of assault
- Branding
- Forced, coerced, or implicitly required ingestion of vile substances or concoctions
- Burning
- Water intoxication
- Expecting abuse or mistreatment of animals
- Public nudity
- Expecting illegal activity
- Bondage
- Abduction/kidnapping
- Exposure to cold weather or extreme heat without appropriate protection
- Forced or coerced sexual acts or sexual simulations

Source: **www.stophazing.org**

Instructions on Reporting Hazing

Colgate University strongly urges University students, faculty, and staff to report incidents or allegations of hazing or organizational misconduct. Reports can be directed to Campus Safety via the Colgate Guardian app or by calling 315-228-7333. Off campus, call 911.

Alternatively, and absent an immediate danger to life or property, reporting can be done through the University's Online Reporting Form. If there is an immediate threat to self or others, physical injury or a safety concern, do not use this form; instead, call Campus Safety immediately at 315-228-7911. Off campus, call 911.

This report may be submitted anonymously if the reporting party does not wish to provide a name or other identifying information. Please note that although Colgate endeavors to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation, determination, and remediation more difficult and sometimes impossible. As a result, it is helpful if the reporting party provides a name and contact information with the submission of the form. Providing a name and contact information allows a Colgate administrator to follow up directly with the reporting party.

It is important to note that reporting parties may not want to report crimes to the Campus Safety Department or local law enforcement agencies and instead prefer to report any crimes, including hazing, via confidential or anonymous methods. Confidential resources at Colgate include Counseling and Psychological Services, the Office of the Chaplains, Student Health Services, Haven, the Title IX Coordinator, and several Shaw Wellness staff members.

University counselors, physicians, and pastoral counselors are encouraged, if and when these professionals deem it appropriate, to inform the persons they are counseling about the University procedures for reporting crimes on a voluntary, confidential basis. If students are experiencing hazing themselves or witnessing the hazing of another person, they should refuse to participate, intervene to stop the behavior, work to protect themselves and their community, utilize support systems, and subsequently report the incident to a member of the Dean of the College staff.

Self-Reporting: Individuals and student groups, organizations, or teams are strongly encouraged to self-report hazing violations. An organization or group can notify Campus Safety, their Administrative Dean, the Dean for Administrative Advising and Student Conduct, or a faculty or staff member whom they trust. Student-athletes can report to any coach or athletic administrator. They should include the names of those individuals responsible for the hazing behaviors and the details of the hazing incident(s).

After Submitting a Report

After a report is received, the University will work diligently to review the completed report and determine the appropriate course of action. In appropriate circumstances, the University may initiate an investigation.

Please note that although Colgate works to investigate all reports, including anonymous reports, the nature of anonymous reports makes investigation, determination, and remediation more difficult, and sometimes even impossible. As a result, reporting parties are encouraged to provide their name and contact information.

Efforts will be made to protect the identity of the reporting individual or group of individuals to the extent consistent with the University's need to identify and stop the hazing behavior. All reports are received by professional University staff in the Office of the Dean of the College.

Colgate University strictly prohibits retaliation against any person for good faith reporting of suspected hazing violations, or for cooperating with, or participating in, any investigation, adjudication, or resolution of alleged hazing violations.

Sanctions

Violations of this policy will result in referral to the Office of Student Conduct, and/or law enforcement, as appropriate to the circumstances. Possible individual and organizational University disciplinary action may include, but not be limited to: suspension or expulsion from the University, suspension or revocation of University recognition and privileges, monetary fines, participation in educational programs or trainings, reflection activities, and/or participation in alcohol, drug, or other counseling services. Sanctions imposed by the University do not preclude criminal and/or civil penalties available under federal, state, and local laws.

Policy on Alcohol and Other Drugs

As an institution dedicated to learning and the life of the mind, Colgate condemns the abuse of alcohol and other drugs. Because abuse of alcohol and other drugs is detrimental to the physical and psychological well-being of students, the University seeks to educate students about the dangers of drug and alcohol abuse and the importance of healthy and responsible choices. Repeated involvement with, or excessive use of, alcohol and/or other drugs will be viewed as a health concern as well as a disciplinary matter. The University may mandate treatment for abuse of alcohol and other drugs.

All Colgate University students are subject to New York State law, local statutes and ordinances, and Colgate's alcohol and other drugs policy. Students who violate state or local laws or University policies will be subject to criminal and/or University disciplinary action. Ignorance of the law and Colgate's policy is not an excuse for any violations.

Under New York State law, it is illegal:

1. to provide alcohol to persons under the age of 21 years;
2. for an underage person to possess any alcoholic beverage with the intent to consume;
3. for an underage person to misrepresent their age, or to use false identification for the purpose of buying or otherwise obtaining alcohol;
4. to sell alcohol without an Alcoholic Beverage Control license (this includes charging admission at the door of an event at which alcohol is distributed free of charge);
5. to use, possess, sell, or distribute illegal drugs, including another's prescribed medications or one's own prescribed controlled substances.

Additionally, the following behaviors are prohibited per University policy:

- Intoxication by alcohol or other drugs by persons under 21
- Alcohol-related disruptive behavior by persons of any age

Under New York State civil law, the provider of alcohol may be held liable for any damages or injuries caused by an intoxicated person. In addition to New York State law, Colgate will address students who show signs of intoxication and/or engage in alcohol-related disruptive behavior.

Observed or reported violations of the University's policy or concerns about abusive behavior are to be directed to designated members of the Office of the Dean of the College's staff for appropriate action. Neither the University nor the police are in a position to ensure that students will not be harmed through drug or alcohol abuse by themselves or others. This policy is designed to promote understanding throughout the Colgate community that those who use alcohol or other drugs are fully and individually responsible for their own actions, including the personal and legal consequences associated with illegal use, possession, or distribution of these substances.

The residential life staff and the campus safety staff are on campus primarily to assist students and to promote the well-being of the residential community. As members of the Office of the Dean of the College, residential life staff members and community leaders are resources from whom students may seek clarification of the University's Policy on Alcohol and Drugs in a given situation. Programs around campus and in the residence halls provide opportunities for students to educate themselves about the impact of alcohol and other drug consumption on individuals and the community.

The residential life and campus safety staff reports student violations of the Policy on Alcohol and Drugs to members of the Office of the Dean of the College. These staff members may intervene when the pattern or frequency of a student's alcohol or other drug use poses a threat to the student's health and/or safety or to those around them.

A Note on Cannabis Products Use and Possession

The use, possession, or cultivation of cannabis products for recreational or medical purposes is not allowed on Colgate University property, nor is it allowed at any college-sponsored event or activity off campus. Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit cannabis products at educational institutions and on the premises of other recipients of federal funds. Therefore, students with medical cannabis prescriptions from New York State or any U.S. state are prohibited from possessing or using cannabis products on the Colgate University campus.

Regulations

The following regulations apply to all members of the Colgate student community (throughout this document, the term "members of the Colgate student community" shall refer to all individual students as well as all recognized and sanctioned University organizations). The University also expects all visitors and guests on the Colgate campus to comply with the regulations listed below. (All Colgate employees must comply with the Colgate University Drug Free Schools and Workplace Policy, copies of which are available in the Office of Human Resources.)

1. The University reserves the right to prohibit the consumption of alcohol in certain facilities, and to limit the way alcohol is served and the amount that may be made available at a given event.

2. Individuals or organizations that sponsor events at which alcohol is served in public spaces on campus must obtain prior authorization from the Vice President and Dean of the College or their designate.

3. Individuals or organizations (and their leaders) that sponsor events at which alcohol is served shall be responsible for ensuring that University policies and New York State laws are strictly observed.

4. Possession of open containers of alcohol is prohibited on and immediately adjacent to public roads, parking lots, and in the common areas in and around residence halls on the campus.

5. Kegs are not permitted on University property or in the possession of recognized University organizations except when used by licensed caterers operating with proper University authorization. Large quantities of alcohol are subject to confiscation. The determination of what constitutes a large quantity of alcohol is based on a quantity relative to what reasonably can be considered for personal consumption in a reasonable period of time; **for example, personal carry limit of a six-pack of beer, six-pack of malt liquor, or one bottle of wine**

6. No one shall be coerced to drink alcohol or use other drugs. Events that encourage excessive drinking, including any drinking game or contest, are prohibited.

7. Being under the influence of alcohol or other drugs will not be a defense in any campus disciplinary or administrative proceeding.

8. Visitors and guests who violate the University's Policy on Alcohol and Drugs or New York State or federal law may be expelled from University property and/or subject to criminal action. Students may be held responsible for the behavior of their guests, and for any incidents or disruptions that result from possession, use, or distribution of alcohol or other drugs by their guests.

9. The consumption of alcohol should not be the primary purpose of any event, and advertisements for events displayed on campus shall not create such an impression. Nonalcoholic beverages and food (snacks, sandwiches, etc.) should be readily and continuously available at all functions where alcoholic beverages are being served.

10. Neither funds raised by the collection of the Office of Student Involvement Fee nor programming funds provided to University residences by the University may be used to purchase alcohol.

Parental Notification for Alcohol and Other Drug Infractions

Students' health and wellbeing is a priority for the University and also critical to students' academic success. As such, Colgate University's practice is to notify at least one parent or guardian of a student if the student has been found responsible for violating the University's Code of Student Conduct relating to the use or possession of alcohol or a controlled substance, provided the student is under the age of 21 at the time of the disclosure, and unless the University determines that such a disclosure could be expected to result in harm to the student. The University's practice is also to notify at least one parent or guardian of a student when the University is aware the student has received emergency medical treatment for a controlled substance, or an alcohol-related overdose, if the University determines the parent's or guardian's knowledge of the information is necessary to help protect the health or safety of the student (such notice will not be provided, however, if the University determines that such a disclosure could result in harm to the student). If a student has designated an emergency contact other than a parent or guardian, the emergency contact may be notified of emergency medical treatment under the circumstances described above, but will not normally be notified of disciplinary violations.

Making these practices explicit to students and parents, through their annual publication in the student handbook, ensures compliance with Beau's Law (NY Senate Bill S3390), signed into law in January, 2025.

Driving While Under the Influence of Alcohol or Other Drugs

Any student arrested for driving while intoxicated or a student about whom the University has received information indicating that they may have operated a vehicle while under the influence of alcohol or other drugs, will be charged with a violation of this policy and have their case adjudicated through the University Student Conduct Board. A finding of responsibility by the Board will result in, at a minimum, the sanction of immediate suspension, ordinarily for the remainder of the term. This policy does not preclude disciplinary proceedings under the System of University Standards and Student Conduct for conduct violations involving alcohol and/or other drugs in connection with vehicle use that does not meet the definition of driving while intoxicated under New York law.

No-Contact Orders

The University disciplinary officer or designee may issue a No Contact Order requiring a student to refrain from direct or indirect contact or other interaction with one or more other members of the campus community. This may occur, among other circumstances, when the disciplinary officer or designee determines that such restrictions are advisable to protect the physical safety or emotional well-being of specific members of the campus community and/or the orderly functioning of campus operations. Students are expected to comply with No Contact Orders in accordance with the Code of Student Conduct, which provides that "Colgate students must abide by University policies and procedures and comply with directions of University officials acting in performance of their duties." The issuance of a No Contact Order is not a disciplinary sanction and is not considered part of a student's disciplinary record unless the student subsequently violates the No Contact Order. Different and additional conditions apply to the issuance of No Contact Orders pursuant to the University's Student Nondiscrimination, Anti-Harassment, and Sexual Misconduct Policy (see section IX. Interim Remedies)

Policy on Retaliation

Colgate University strictly prohibits retaliation against any person or organization for seeking supportive measures (including No Contact Orders), good faith reporting of conduct violations, or for cooperating with, or participating in, any investigation, adjudication, or resolution of potential conduct violations (whether as a reporting party, respondent, or witness).

Policy Governing the Scheduling of Social Events with Alcohol

Social events at which alcohol will be served may not be scheduled when classes are not in session, including new student orientation and final exam periods. Additionally, social events and catered events with alcohol are not permitted until the first full week of classes at the beginning of each semester. Catered events requiring a liquor license and/or outdoor events that require a sound permit from the Village of Hamilton require approval by the University at least three weeks in advance of the event, regardless of the time of night or day for which it is scheduled. Social events with alcohol are not permitted during the final week of classes each semester or during study days. Additional details about hosting social events with alcohol (including registration and approval processes) can be found at **colgate.edu/hosting-events-alcohol**.

Affiliation, Solicitation, and Advertising

Policy on Campus Solicitation and Concessions

The University prohibits the commercial solicitation of goods or services or direct sales by students or non-students on University property except with the written permission of the Office of Student Involvement or for ventures that have approval by University programs such as Thought Into Action. Solicitation is defined as asking for a donation or contribution of monies, goods or services, or other payment support from individuals or groups for the purpose of commercial gain. It does not include speech or conduct protected under First Amendment standards.

Common areas of residence halls and other University facilities may not be used for sales demonstrations. Organizations or individuals seeking to do commercial business with Colgate students are encouraged to rent suitable facilities off campus, subject to applicable Village of Hamilton ordinances, or to work with approved University entrepreneurial programs. The marketing, advertising, and merchandising of credit cards on campus to students is prohibited.

Policy on Advertising and Posting

At the end of the spring term of 1992, the Student Affairs Board approved a new policy concerning all aspects of on-campus advertising and posting by groups, including the use of chalk advertising, printed advertising, "Coop sheets," and on-campus advertising by groups not affiliated with the University. The goal of this legislation (passed by the Student Government Association in Spring 1995) is to provide direction and organization with respect to advertising and posting around campus. One goal of this policy is to provide for efficient use of Student Association funds with respect to advertising. Secondly, this policy aims to create a more courteous environment for equitable advertising of all organization functions. Finally, this policy is intended to improve the overall appearance of the campus. It was updated in Spring 2008 by the staff of the Office of Student Involvement (OSI).

1. ***Campus Advertising***: Advertising can occur one week prior to the event. All forms of advertising must be approved by the Office of Student Involvement.
    a. Chalk is not permitted on any University building.
        i. All chalk advertisements must be washed clean by those responsible for putting it up within three days of the conclusion of the event; or in the case of a political message, within one week of its posting.
        ii. The use of chalk is confined to three areas on campus: the area directly outside of the Coop (O'Connor Campus Center) in the intersection of the paths — advertising should stay within a 20-yard radius of the steps leading to the Coop patio; the area directly outside of Frank Dining Hall; and outside the front entrance to Parker Commons.
    b. All advertisements must have a date and sponsoring organization's name on them.
2. ***Printed Advertising***
    a. All printed advertising must include the organization's name.
    b. No printed advertising can be placed on any tree.
    c. Posters should be hung only on designated bulletin boards.
    d. No posters should be placed on windows or any glass surfaces.
    e. On cork bulletin boards located throughout the campus, thumb tacks should be used. The use of tape and staples is prohibited.
    f. Printed advertising should never be stapled, tacked, nailed, or taped to University benches.
    g. Posters are limited to 75 per event. Only one poster, per subject, per bulletin board is permitted.

h. Placing posters over other posters is discourteous and should be avoided.
i. All printed advertisements must be taken down within three days after the event has taken place.

3. ***Coop Sheets***
    a. Coop sheets are limited to the area around the Coop patio, the commons, residence halls, and the Student Union.
    b. Coop sheets must not be weighted with anything (e.g., water bottles, etc.).
    c. All Coop sheets must be taken down the day after the event has taken place.
    d. There are to be no more than four Coop sheets up at any one time around the Coop patio..
    e. Absolutely no one is permitted on the Coop roof or on the roof of any other University building.

4. ***Non-Colgate Advertising (groups not affiliated with the University, non-credit card companies)***

    a. All groups interested in advertising on campus must get approval from the Director of the Office of Student Involvement.

Policy on the Observance of Religious Holidays

Colgate is committed to providing a welcoming and supportive environment for students from all cultural and religious backgrounds. All members of the community should ensure that students do not suffer adverse consequences for practicing their religions.

In order that no student at Colgate incur academic penalty because of their conscientious observance of a major religious holiday, it is important that faculty members follow a uniform policy. Exams should not be scheduled, and papers should not be due, on any major religious holiday or on the subsequent day. In addition, every effort will be made not to schedule major college events on these days. For scheduling purposes involving the student body, Colgate recognizes as major religious holidays the following: Rosh Hashanah, Yom Kippur, the first two days of Passover, Good Friday, Easter, and the first days of Eid al-Fitr and Eid al-Adha.

This is not intended to be an exhaustive list. Colgate embraces our increasingly diverse and multifaith campus community, and recognizes that some religious holidays observed by students are not included in the list above. With respect to such holidays, students are entitled to full and equal accommodation. Students whose conscientious religious observance requires that they observe holidays other than those specified should inform their instructors well in advance. In such cases, each instructor and student shall arrange an accommodation consistent with the policy described above (including rescheduling exams or assignments, class absences, and so on).

Please note that Hindu, Muslim, and Jewish holidays begin on the preceding evening. Jewish holidays require the cessation of work for the duration of the festival, and not simply during the time when services are held. Students observing Ramadan may need accommodation for their fasting arrangements. Students may contact the Office of the Chaplains for a detailed calendar of religious holidays.

Policy on Framework for Religious Life at Colgate University

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations function within the Ethical Framework for Religious Life at Colgate University. Within each of these categories, their status on campus requires adherence to the specified conduct norms indicated throughout. Violations of these conduct norms places the person or organization at risk of withdrawal or nonrenewal of recognition, pursuant to applicable University procedures. Beyond those conduct norms, it is expected that all participants within the religious life of the University will identify with the broad aspirations and spirit articulated below, in the Mission Statement of the Office of the Chaplains, and in Colgate University's Relationship Statement.

The framework has been endorsed by the Vice President and Dean of the College and Office of the Chaplains. It has been reviewed by the University President, the president's senior staff, the University's legal counsel, and the Student Affairs Board. It is congruent with other University statements of mission, policy, and procedure.

Under most circumstances, departures from the Ethical Framework will initially be handled through discussion with the University Chaplain and, if appropriate, other relevant University personnel. In the case of egregious or continuing violations by a religious leader, the person may be asked to cease their campus ministry/program at Colgate University. Where practical, before the termination stage is reached, the University chaplain will confer with the religious supervisor(s) within the sponsoring organization or denomination and/or, as appropriate, the Vice President and Dean of the College. In the case of egregious or continuing violation by a student organization, recognition may be withdrawn or renewal of recognition may be denied, through the applicable University process.

Provisions of the Ethical Framework

Maintaining Commitment to Faith and to the University

All recognized religious activity at Colgate University is coordinated through the Office of the Chaplains and supervised by chaplaincy staff.

As per the University's Student Organization Relationship Statement, chaplaincy organizations are student-generated and responsive to student needs and desires.

The Office of the Chaplains prohibits external religious organizations from functioning on campus as independent entities.

Adjunct staff, whether paid or volunteer, serve the University at the discretion, and under the supervision, of the University chaplain.

When promoting their ministry/program, chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations must clearly identify themselves and their particular affiliation. When using the name of the Office of the Chaplains or the University as a whole, they must do so in a nonsectarian manner even while acknowledging the particular religious organization they represent.

Those professionals or volunteers who gain affiliation with the Office of the Chaplains are encouraged to speak openly about their particular faith commitment under appropriate circumstances and to work actively to build their faith community on campus. The collegiality and professionalism of chaplains and other religious leaders is compatible with their expressing doctrines, voicing personal opinions, and carrying out religious practice. It is understood that chaplains and other religious leaders represent specific religious traditions or faith communities and that their primary commitment is to serve the welfare of their own campus congregations, even while they are called upon simultaneously to serve the welfare of the entire Colgate University community.

When speaking or teaching about other religious communities or faith traditions, chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations commit themselves to providing accurate accounts of the beliefs and practices of those communities and traditions.

Balancing Particularity and Inclusiveness

Student religious organizations must be open to general participation by any interested student and, as per the Student Organization Relationship Statement, may not discriminate against any student from any protected class.

The student organizations may, however, specify requirements directly based upon the religious foundation of the group for holding a particular position and/or participating in a particular religious ritual.

Following University Policies

Recognized student religious organizations must follow the Colgate University Code of Student Conduct (including policies related to alcohol consumption), the Student Organization Relationship Statement, and the guidelines developed by the Organizational Advisory Council.

Religious organizations are expected to comply with all University policies, including, but not limited to, those that pertain to hazing, harassment, academic integrity, registration of student organizations, use of campus facilities, and conduct of students.

All fundraising for any Colgate-related religious life organization must be done through the University's Office of Advancement. External religious organizations make a commitment, as part of their engagement with the University, to refrain from fundraising strategies that undermine or conflict with the University's efforts.

Promoting Religious Freedom

A student must be able freely to participate in or to leave a religious organization without being subject to harassment or procedures that compromise the student's autonomy.

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations will support religious freedom on campus, enabling students to explore and believe — or not — any particular teaching or idea. Colgate University religious organizations should strive for a campus climate that honors the individual autonomy of each person, encourages open exploration, stimulates intellectual as well as spiritual inquiry, and supports the University's devotion to truthfulness and the search for knowledge.

Respecting Religious History and Ancestral Connection

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations should support the University's goal of making every student feel as much at home as possible within the community, a goal that requires respect for the religious convictions and/or ancestral identification of each student.

The University supports the presence of a wide range of religious organizations, encouraging the formation of new organizations to serve newly emerging religious/ethnic constituencies. Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations should inform themselves of the varieties of religious expression available on campus and within central New York, so as to help students learn about the religious setting of their heritage. Of course, students are free to explore religious options or embrace a religious tradition other than that in which they were raised, and chaplains and religious organization directors will generously facilitate their process of exploration.

Upholding Religious Diversity and Civil Discourse

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations should cultivate respect for, and understanding of, the range of world religions and nonreligious thought. Such respect will be strengthened by open dialogue, debate, and discussion among two or more organizations. Proselytizing by undermining another religious community is not desirable, and even sincere conversation should not be sought through deprecating other organizations.

Chaplains, religious organization directors, advisers, and their students should share their faith with others in a manner that avoids harassing, demeaning, or disregarding the integrity and freedom of other persons in making their own decisions in matters of religious faith and identity. They should avoid language that foments hatred or prejudice, or that otherwise undermines the community of respect and trust that is essential to free academic discourse and to a democratic society.

Respecting the University's Academic Mission

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations must not engage in any action that (a) seriously compromises a student's academic standing, (b) removes students from campus by pressure or force or without their full consent, other than through recognized University processes, (c) places undue financial pressure on students, or (d) exploits the sexual or other vulnerability of students.

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations are expected to respect the goals and purposes of the University, avoiding programs or efforts that obstruct the achievement of those goals, especially with regard to students. They should responsibly support the University's pursuit of the educational goals that form its foundation.

The overall programming calendar pursued by a religious organization should not be so demanding as to make it difficult for students who are committed members of the organization to meet the academic obligations that constitute the primary purpose for University enrollment. While attending to potential conflict of interest with the University on this overall level, chaplains, religious organization directors, and their staff are also encouraged to be sensitive to the academic and other demands on students involved.

Acknowledging Students' Relationships with their Families

Chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations are encouraged to be sensitive to the relationship between students and their families, and to be as open as possible with concerned parents while respecting the confidentiality of communication, the requirements of applicable law, and individual autonomy of students as adults.

In cases of uncertainty or conflict, the chaplain or religious organization director will confer with the University chaplain.

Publicizing with Integrity

In publicizing their organization and its programs or offering items on campus, chaplains, chaplaincy staff, adjunct staff, and recognized student religious organizations must create and distribute only materials that clearly and accurately convey who they are, the focus of their organization or program, and connections to any off-campus organizations.

The name of the sponsoring organization needs to be large enough to be easily read by anyone encountering the item — whether a flyer, poster, newspaper advertisement, banner, or free gift.

The name "Office of the Chaplains" or "Colgate University" may not be used on publicity without the knowledge and consent of the University Chaplain. Nonaffiliated off-campus organizations may not use the name of the University in their own names so as to imply affiliation with the University.

Use of the University's seal or other trademarks, service marks, or logos must conform to the guidelines established by the University.

Confidentiality Statement

Chaplains, chaplaincy staff, and adjunct staff, whether clergy or lay, function as religious professionals and therefore must honor the confidentiality of students and others whom they guide and counsel. Such confidentiality governs unless specifically waived, or unless disclosure is required or permitted by applicable law or University policy.

Likewise, student religious organizations should be educated to maintain an atmosphere wherein the personal communication encouraged by a religious setting is respected as confidential.

Dealing with Disagreements

When chaplains, religious organization directors, or advisers find themselves in disagreement with the University administration, the University chaplain, or their fellow chaplains, religious organization directors, or advisers, they are encouraged to handle this disagreement as an internal matter.

Should claims of conscience bring a chaplain, religious organization director, or adviser to publicly disagree with established University policy or procedures, the chaplain, religious organization director, or adviser should notify the University chaplain, preferably in advance of the situation. In cases of conflict among chaplains, religious organization directors, or advisers, those involved will try to work with one another to achieve a resolution. If a solution is not reached at this level, those involved should seek counsel with the University chaplain. In situations where the above modes of resolution do not suffice, the University chaplain will seek the advice or involvement of the Vice President and Dean of the College or the relevant University official.

This shall not prohibit any person from complying with applicable whistleblower, conflict-of-interest reporting, or related laws or University policies or procedures, nor shall it limit the University's right to address, through appropriate procedures, circumstances otherwise brought to its attention.

Leaves of Absence and Attendance

Projected Attendance Pattern and Leaves of Absence

Colgate must have accurate information about enrollments for each term in order to provide adequate staff, operate in an economically efficient manner, and limit overcrowding in classes and housing.

Most students will follow a normal enrollment pattern, attending Colgate for eight consecutive terms, including participation in study groups and approved programs. On occasion, there are, however, compelling reasons for students to alter this pattern. Students unsure about taking a leave or wanting to request a leave should consult with an administrative dean to identify all options to which they may be entitled. Transfer credit awarded for courses taken at another institution while on leave is dependent upon the specific type of leave. Students considering taking courses for transfer credit should consult with the Office of the Registrar.

A student on leave who does not return to the University within four semesters will be withdrawn and must apply for readmission through the Office of Admission.

If unapproved leaves are taken, students are withdrawn from Colgate and must apply for readmission through the admissions office. The University cannot guarantee a place for them in any particular term of return. Exceptions to these procedures will be made only if there are extenuating circumstances that are substantially beyond the student's control and knowledge prior to the deadline to request a leave. Likewise, if a student is not granted an official leave, upon return, eligibility for financial aid will be jeopardized, as will registration and housing priority.

Experience has shown that students who plan ahead tend to optimize their educational opportunities and experiences. Students will help themselves as well as Colgate if they carefully consider their attendance plans well in advance of the early registration periods each semester.

Absence from Class and Medical Excuses

The University recognizes that students will occasionally have significant medical illnesses or injuries that prevent them from attending classes or completing assignments or exams. The student is responsible for contacting the professors and administrative dean concerning any make-up work, withdrawals, extensions, or incompletes that may be necessary. With the student's permission, Student Health Services will verify prolonged absences. Student Health Services ***does not*** notify professors and administrative deans about minor illnesses (that will resolve within a few days). Students will be expected to contact their professors directly about these brief periods of missed coursework.

Policy on Medical Leave of Absence

When a student experiences significant physical or psychological challenges while enrolled in a Colgate program, they may request to take a voluntary medical leave of absence. If approved by the administrative dean, the student will leave the campus (or study group) immediately, be granted grades of "W" in all enrolled courses (even if the normal deadline for withdrawal without academic penalty has passed), and will be obligated to adhere to the readmission requirements outlined below if the student desires to return to Colgate.

The policy on refunds contained in the *University Catalog* will apply. While on medical leave, the student must absent themself from the campus (or study group) and abide by the Policy for Student Presence on Campus While a Student Is Separated from the University contained elsewhere in this student handbook.

Readmission Requirements after Medical Leave of Absence

Duration and Deadlines

If a student leaves Colgate for reasons of health, normally one complete semester or the equivalent (i.e., at least four months) must pass before the student may return to Colgate; however, Colgate makes an individualized assessment of the student's situation in making decisions about the timing of a student's return. The complete readmission application (see below) should be received by Colgate by ***October 1*** for readmission to the spring semester and ***March 15*** for readmission to the fall semester. If a student has not met all criteria for readmission until after these deadlines, but does so before the start of the upcoming semester, the application will be considered on a case-by-case basis and will depend on many factors, including course and housing availability. Ordinarily, students will not be admitted if they do not meet these published deadlines; however, if they are accepted for readmission, housing and course selection could be limited due to the timing of the decision allowing the return. The student should direct any questions about the medical leave process, as well as the readmission application, to their administrative dean.

Evaluation and Treatment

During a medical leave of absence, the University expects the student to be evaluated by a professional health care provider in order to determine whether a student may return to a University-owned residence and/or full-time academic study. Failure to engage in appropriate treatment may seriously jeopardize the student's ability to return and be successful at Colgate. Therefore, it is possible that the University may withhold readmission until appropriate treatment or intervention has been obtained. Colgate also may require that the student's off-campus primary health care provider make contact with their counterpart at Colgate to discuss the nature of the problem that led to the student's taking medical leave. To facilitate this communication, the student may be required to provide written releases to both parties to communicate freely with each other in support of the student.

Readmission Application

A student wishing to return from a medical leave must initiate a request (see deadlines above) for consideration of return by writing a letter to their administrative dean explaining why the student believes that the medical or psychological issue(s) necessitating the leave have been adequately addressed, such that the student is prepared to return, with or without reasonable accommodation. A complete application must include:

1. the student's letter; and
2. the Documentation to Support Return Following a Medical Leave form (provided by the student's administrative dean) completed by an appropriate off-campus healthcare provider (physician, psychiatrist, or psychologist).

Additionally, in order to facilitate a successful transition, the student must meet with their administrative dean and other support services before re-enrolling or within 10 days of returning to the University.

Readmission Decision

After reviewing the completed application, the Colgate case management team will determine whether the issues necessitating the student's medical leave have been adequately addressed and that the student is able to successfully return, with or without accommodations.

It is expected that when a student is readmitted after a medical leave, they will maintain regular contact with the administrative dean and take responsibility for ensuring compliance with all of the readmission decisions. As well, it is often advisable for the student to continue with or establish new relationships with, appropriate support and professional resources on or off campus to continue addressing the issue(s) that necessitated the leave of absence.

Pending Discipline

A leave of absence does not in and of itself absolve a student of disciplinary responsibility for their actions (such as engaging in threats of violence, property damage, etc.). If a student's conduct subjects them to the disciplinary process, Colgate may do any of the following:

- require the disciplinary process to conclude before approving the leave;
- hold the disciplinary process (or decisions about pursuing disciplinary action) in abeyance until a later point in time; or
- allow the leave of absence to serve as an alternative to a disciplinary consequence by allowing the student to address their behavior as a matter of self-help and self-improvement.

The disciplinary officer will determine how pending disciplinary matters will be handled.

Policy on Involuntary Leave of Absence

As stated earlier in this code, the integrity of the Colgate community depends upon each member's acceptance of individual responsibility and respect for the rights of others. As such, the disciplinary system seeks to educate students about both personal freedoms and the limits of belonging to, and living in, a diverse academic community.

Colgate is committed to ensuring and supporting the health, safety, and well-being of each student and to this academic community as a whole. In circumstances where a student's actions are such that they pose a significant risk to the health, safety, well-being, or operations of the University community, Colgate reserves the right to impose a leave of absence upon that student. As more fully set forth below, such involuntary leaves will be imposed only when the significant risk to the University community cannot be eliminated through the modification of policies, practices, or procedures, or by the provision of reasonable auxiliary aids or services.

Procedure

Whenever possible, Colgate will seek to resolve concerns with a student's cooperation, with reasonable accommodations and, if possible, to have the issue(s) addressed while the student remains enrolled. If appropriate, the University will assist the student in voluntarily withdrawing for a period of time consistent with their needs. In limited circumstances, when a student declines a voluntary leave of absence or refuses to cooperate with efforts deemed necessary to address or evaluate the nature of the student's behavior, the student may be involuntarily placed on a leave of absence from the University.

Colgate may place a student on an involuntary leave when the student exhibits any behavior that:

- harms, or poses a credible substantial risk of harm, to the health or safety of anyone within the Colgate community;
- causes, or poses a credible substantial risk of, harm to property; or
- is significantly or consistently disruptive to the educational, residential, and other activities of the Colgate community.

The decision to impose an involuntary leave of absence is generally made as a last resort. The determination is made on a case-by-case basis and following an evaluation of each student's individualized circumstances. Stereotypes or generalizations are strictly avoided.

When notified about a student of concern, the Colgate Behavioral Intervention Team will conduct an individualized assessment of the student's situation. The assessment will be based on the student's demonstrated behaviors. Any concerns will be evaluated based upon current medical or other specialized knowledge and/or the best available evidence in order to assess:

- the nature, duration, and severity of the risk;
- the probability of injury or harm;
- the impact on the University community; and
- whether reasonable modifications to policies, practices, or procedures will significantly mitigate the risk.

In making these assessments, Colgate will consult with appropriate professionals at their discretion, and will include the student's preferred healthcare provider(s), if one has been provided or requested. Except in emergency circumstances, the student will be given the opportunity to be heard by the chair of the Behavioral Intervention Team, their administrative dean, or other appropriate Colgate personnel and to provide additional information for consideration. An evaluation by specialized providers external to the University may be warranted, depending on the circumstances.

Following its assessment, the behavioral intervention team will make a recommendation in writing to the Vice President and Dean of the College, who is vested with authority to impose the involuntary leave. If the Colgate Behavioral Intervention Team determines that the student may remain enrolled but subject to conditions, the Vice President and Dean of the College may impose such conditions.

The Vice President and Dean of the College will inform the student in writing of the determination. If the student is to remain enrolled, they will be advised of any conditions for remaining and the consequences of violating the conditions. If an involuntary leave is imposed, the student will be advised of the minimum length of the leave, conditions for readmission, and the appeals process.

Emergency Leave

In the event of an emergency, the Vice President and Dean of the College may impose a temporary leave prior to a full assessment taking place. If such an emergency leave is imposed, the student will be given an opportunity to be heard and provide information regarding the conditions and duration of the temporary leave as soon as practical (usually within a few days). Upon the imposition of such a temporary leave, the behavioral and case management teams will begin the full assessment as per this Policy.

Appeal Option

A student who is placed on involuntary leave or whose continued enrollment is made subject to conditions may appeal the decision within seven days of receipt of the written communication notifying the student of the decision. The appeal must be in writing to the Vice President and Dean of the College, delineate the reason(s) why the student believes the decision is inappropriate, and must be accompanied by any information the student would like considered. An appellate officer appointed by the President will review the student's appeal and may uphold, reverse, or alter the Vice President and Dean of the College's decision. The decision will be communicated to the student in writing and shall be considered final.

If placed on involuntary leave of absence, the student will leave the campus (or study group) immediately and be granted grades of "W" in all enrolled courses (even if the normal deadline for withdrawal without academic penalty has passed and in the absence of pending honor code violations). Further, if the student desires to return to Colgate, they will be obligated to adhere to the readmission requirements outlined below. The policy on refunds contained in the *University Catalog* will apply. While on involuntary leave, the student must absent themselves from campus (or study group) and abide by the Policy for Student Presence on Campus While a Student Is Separated from the University contained elsewhere in this handbook. If the student is concerned about housing insecurity, they should contact their administrative dean for assistance and resources.

Readmission Decision

The student must complete an application for readmission that demonstrates that the conditions placed on the student's readmission have been met. This will ordinarily include a request for written documentation from a licensed medical professional attesting to the student's readiness to return to full-time study in a residential college setting.

The complete readmission application should be received by Colgate by October 1 for readmission to the spring semester and March 15 for readmission to the fall semester. If a student has not met all criteria for readmission until after these deadlines, but does so before the start of the upcoming semester, the application will be considered on a case-by-case basis and will depend upon many factors, including course and housing availability. Ordinarily, students will not be admitted if they do not meet these published deadlines; however, if they are accepted for readmission, housing and course selection could be limited due to the timing of the decision allowing the return. The student should direct any questions about the involuntary leave process, as well as the readmission application, to their administrative dean or the chair of the behavioral intervention team.

After reviewing the completed application, the Colgate case management team will determine whether the issues necessitating the student's leave have been adequately addressed and that the student is able to successfully return, with or without reasonable accommodations. In appropriate circumstances, this may necessitate additional information and/or dialogue with the student's healthcare provider(s). In appropriate circumstances, the University may require that the student undergo an assessment by a qualified healthcare provider of its choosing and at its own expense.

It is expected that when a student is readmitted following an involuntary leave of absence, they will maintain regular contact with the administrative dean and take responsibility for ensuring compliance with all of the readmission decisions. As well, it is often advisable for the student to continue with or establish new relationships with appropriate support and professional resources on or off campus to continue addressing the issue(s) that necessitated the leave of absence.

Pending Discipline

A leave of absence does not in and of itself absolve a student of disciplinary responsibility for their actions (such as engaging in threats of violence, property damage, retaliatory behaviors, academic misconduct, etc.). If a student's conduct subjects them to the disciplinary process, Colgate may do any of the following:

1. require the disciplinary process to conclude before approving the leave;
2. hold the disciplinary process (or decisions about pursuing disciplinary action) in abeyance until a later point in time; or
3. allow the leave of absence to serve as an alternative to a disciplinary consequence by allowing the student to address their behavior as a matter of self-help and self-improvement.

The disciplinary officer, in consultation with the Vice President and Dean of the College, will determine how pending disciplinary matters will be handled on a case-by-case basis.

Policy on Personal Leave of Absence

Colgate University students may request a personal leave of absence from the University when they desire or need to be away from campus for a variety of reasons. There are two options available, depending on when the student requests the leave:

Option 1

If a student knows before the start of a semester (but not later than the end of the drop/add period) that they desire to take a personal leave, the student simply advises their administrative dean, and the dean will place the student on a personal leave of absence. No grades of "W" will be entered on the student's transcript. A pro rata refund will be processed if the effective date of the leave is within the drop/add period (see University Catalog policy on refunds). The student will be billed a separate $300 deposit to bind their plan to return in a specified subsequent semester. Examples of this kind of leave include, but are not limited to: extending a summer job into the following semester, working on a political campaign, and travel or other similar plans. Students are not permitted to take classes for Colgate credit while on a personal leave of absence, Option 1.

Option 2

Occasionally, personal circumstances that do not fall under the Policy on Medical Leave of Absence or cannot be addressed by extensions, incompletes, or other academic accommodations require a student to leave campus for the balance of the semester or longer. This option covers a leave after the end of the drop/add period but before the end of the final exam period in a given semester. Examples include, but are not limited to: a death or significant/terminal illness of a family member, significant personal or family legal problems, catastrophic family financial circumstances, mandated active-duty military service, gender or sexual violence, or other compelling circumstances beyond the student's ability to predict or control. If approved, the student will leave the campus (or off-campus study group) immediately and be granted grades of "W" in all courses (even if the deadline for course withdrawal without academic penalty has passed). Once approved, the action is irrevocable for that semester. Other than the "W" grades, no notation regarding the personal leave will be made on the student's permanent academic transcript. A leave deposit will not be charged.

In these circumstances, the student may request a personal leave of absence through their administrative dean. In some cases, to ensure consistency, the student's dean may require independent verification of the basis for the leave and/or consult with colleagues on the Dean of the College staff. The dean will review the student's request and either approve or deny the request. To confirm the leave, the dean will prepare an internal Change of Student Status Notice, to include the projected return semester. The student may extend the leave if necessary by contacting their dean prior to the start of the projected return semester. A student wishing to return from a personal leave of absence must request a time to discuss considerations for return by writing a letter to the administrative dean.

Financial aid recipients must maintain close contact with the Office of Financial Aid and meet established deadlines for applying for financial aid. An approved Option 2 personal leave will not count as one of a student's eight semesters of financial aid eligibility.

While on any personal leave, the student will continue to be seen as a matriculated student, not currently enrolled. Students on an Option 2 leave may take courses at another domestic college or university; students on an Option 1 leave may not. All courses taken at another institution must be approved in advance by the Office of the Registrar to be eligible to receive transfer credit.

Refund Policy

The official effective date of a personal leave is determined by the student's administrative dean. A pro rata refund will be computed based on this effective date (see ***University Catalog***).

Pending Discipline

A leave of absence does not in and of itself absolve a student of disciplinary responsibility for their actions (such as engaging in threats of violence, property damage, etc.). If a student's conduct subjects them to the disciplinary process, Colgate may do any of the following:

1. require the disciplinary process to conclude before approving the leave;
2. hold the disciplinary process (or decisions about pursuing disciplinary action) in abeyance until a later point in time; or
3. allow the leave of absence to serve as an alternative to a disciplinary consequence by allowing the student to address their behavior as a matter of self-help and self-improvement. This will determine how pending disciplinary matters will be handled.

Policy on Academic Leave of Absence

Students wishing to enroll for a semester at another U.S. college or university should request an academic leave of absence. International students may study at an institution in their home country during an academic leave. No other study at international institutions is permitted during an academic leave. All questions regarding academic leaves of absence should be directed to the administrative dean. A semester of academic leave does not count toward the seven-semester residency requirement, nor is Colgate financial aid available. These students will be charged a $500 administrative fee. This fee defrays costs incurred by Colgate for maintaining records and providing advising and other services to students while studying away from the University. Students who plan to be away in a fall term will receive a bill for the administrative fee in July. Students who intend to be away in a spring term will receive the administrative fee bill in November. Failure to pay this fee will void the leave of absence and result in loss of the privileges granted with it. Students are urged to discuss their academic and enrollment plans with their academic adviser and administrative dean well before the deadline to request a leave. The deadline to request approval for transfer credit is April 15 for the fall term and November 15 for the spring term. Students going on an approved program do not need to request an academic leave of absence.

Policy for Student Presence on Campus While a Student Is Separated from the University

Students who have been separated from the University through academic or disciplinary suspension, as well as students who are placed on an involuntary leave of absence, do not have the same rights and privileges accorded to currently enrolled Colgate students. As such, visiting campus is not permitted and access to University resources will be limited. Students who separate from Colgate for other reasons, including voluntary medical and personal leaves of absence, may also not be afforded the same resources or support as students who are currently enrolled and in residence. In addition, students who have been involuntarily separated from the institution for a period of time, including academic or behavioral suspension, are expected to leave the campus and to visit only with explicit permission, given in advance, by the Office of the Dean of the College. Permission to visit will ordinarily be given only for compelling academic or business purposes.

Students subject to this policy, as well as students who take a voluntary leave for medical or personal reasons, are expected to depart campus with their belongings within 48 hours of their separation from the University, unless the student's administrative dean approves an exception. Failure to abide by this policy may adversely affect the University's decision to readmit a student (if applicable).

Residential Life

As a residential university, Colgate is concerned with bridging academic and residential learning. The University provides rich and diverse options for campus living in traditional residence halls, independent living communities, apartments, and townhouses. Colgate's approach to residential education is centered on providing students with the resources and support necessary to build

vibrant and diverse communities that foster intellectual engagement and promote individual growth and personal development as well as community.

The Residential Life office, located in Drake Hall, is staffed by a director and other professional and student staff members. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday. Additionally, one member of the professional staff is on call at all times.

An area director (AD) is assigned to each residential commons and living community. ADs are full-time staff members who live in student residential areas to provide mentorship and coaching. ADs are responsible for helping students establish and maintain healthy communities that promote educational, cultural, social, and personal development. Each AD supervises a team of undergraduate student resident leaders referred to as community leaders and house managers.

Community leaders are undergraduate student peer mentors assigned to live in each community and assist students in making their Colgate experience as fulfilling as possible by providing guidance, resources, and referrals. They assist the community in establishing guidelines and living agreements that are respectful and considerate of every member of the community.

House managers are live-in student staff members responsible for assisting with facilities management of their assigned fraternity and sorority chapter houses while also supporting their peers with residential living and campus life.

Community Standards

Students who come to Colgate agree to be part of the community, a privilege that comes with certain expectations. Students must be prepared to conduct themselves at all times in a manner that will not infringe on the rights and privileges of others and in accordance with Colgate's Code of Student Conduct. The right of students to sleep and study in their rooms has the highest priority at all times. This right is balanced with other needs such as the right for students to socialize, manage their daily lives, and live in community with one another.

Students must act responsibly in the use of their rooms, apartments, townhouses, and common facilities, respecting the rights of others. At the beginning of the fall semester, students in each living unit (e.g., house, suite, apartment, townhouse, or floor) are expected to come together as a group to determine the standards and expectations for their community. These standards and expectations must be in accordance with Colgate policy but may also clarify specific concerns of the particular community. The standards and expectations are then documented and serve as the guidelines by which that community agrees to live. This decision-making process provides an opportunity for each resident to participate actively and to take responsibility for their community.

Office of Residential Life Terms of Agreement for University Student Residences

This agreement is for a room in University housing of Colgate University (traditional residence hall, apartment, townhouse, or college house) for the academic year or balance thereof and becomes legally binding when the earliest of the following events occur: (a) the student selects or is assigned to a residential space; (b) the student ("Resident") accepts a room key or other access control device for a University residence; or (c) the Resident agrees electronically using room selection software. The Resident assumes responsibility for the payment of the rates established by Colgate University and agrees to all of the terms and conditions contained within this document and the policies, procedures, rules, and regulations of Colgate University in relation to Residential Life that are contained in the *Colgate University Student Handbook* and/or otherwise published by the University (each as amended or supplemented from time to time).

Period of Agreement

This agreement is binding for the entire 2026–2027 academic year except when the student (a) completes graduation requirements mid-year, (b) enters into the agreement at the beginning of the second semester, or (c) is approved for off-campus study for the spring semester. This agreement cannot be canceled by the Resident, except as provided below. During the academic year, periods of permitted occupancy are as follows:

1. ***Academic Term Occupancy***: Occupancy of the assigned room is limited to the current academic term in session, commencing with the dates published by Residential Life for either returning students (August 25, 2026) or new students (August 23, 2026) move-in for fall term 2026. Occupancy ends 24 hours after the Resident's last spring-term final examination (or 24 hours after the Resident's last fall-term final examination through December 19, 2026 at noon if not on campus for the spring term). Residence halls close for non-graduating students at 12:00 p.m. on Saturday, May 8, 2027. Graduating seniors may remain until 5:00 p.m. on Sunday, May 16, 2027, when the residence halls close. Requests for extensions of this agreement must be made in writing according to the procedures established by the Office of Residential Life, which will determine whether or not approval will be granted and additional charges assessed. Any personal

belongings remaining in the Resident's assigned room following the applicable departure time (or earlier termination of occupancy as provided in this agreement) may be disposed of by Colgate University in its sole discretion without further notice to the Resident.

2. ***Winter Closing and Spring Opening***: Residence halls are closed, and the Resident will not be permitted to enter or occupy the assigned room, during the winter break period, 12:00 p.m. Saturday, December 19, 2026, until 9:00 a.m. Saturday, January 16, 2027, without prior approval from the Office of Residential Life. Approval to stay on campus over break may be limited if the Resident does not have a housing assignment for the fall or spring semester.

3. ***Early Arrival and Late Departure Charges***: This agreement is for specific dates. No early arrivals or late departures are permitted without prior approval from the Office of Residential Life. Failure to comply with this may result in the assessment of charges and/or disciplinary consequences.

4. ***Room Assignments***: This agreement is for a space either in a single or multiple-person room in a Colgate University residence and does not entitle the Resident to a particular location or roommate(s). Colgate University reserves the right to change residence assignments upon reasonable notice if necessary for safety, health, or other reasons and/or to assign students to fill vacancies in multiple-student rooms and apartments, as determined by the Office of Residential Life. Swapping of assigned rooms, including within an apartment, townhouse, or suite, is not permitted until and unless approval has been given by the Office of Residential Life.

5. ***Room Changes***: Room changes will not be considered as an effective form of conflict resolution, and students will be expected to go through mediation when conflicts arise. Room changes are not a matter of right and the Resident will not be permitted to move from their assigned room without the approval of the Office of Residential Life.

6. ***Room Use***: The Resident's assigned room shall be occupied exclusively by the Resident (and other assigned residents) for residential use only. The Resident shall not use the assigned room, or any other part of the facility in which the assigned room is located, for any commercial business or purpose without the prior written consent of the University.

7. ***Loss, Damage and/or Injury***: The University does not carry insurance covering personal property. Therefore, students are encouraged to obtain renter's insurance to cover their personal property. The University shall not be liable for any personal injuries sustained by the Resident or by any of the Resident's guests or invitees in or about the Resident's assigned room or other areas in or about the facility in which the assigned room is located, or for any loss of, damage to, or theft of the Resident's personal belongings or those of their guests or invitees, resulting from any cause whatsoever unless the injury, loss, damage, or theft is caused by the gross negligence or willful misconduct of the University. The Resident releases Colgate University and its trustees, officers, employees, agents, contractors, and representatives from any and all claims they may have in the future, waives all such claims, and agrees not to sue the University or its trustees, officers, employees, agents, contractors, and/or representatives for any such claims, for liability arising out of any such injury, loss, damage, or theft, including but not limited to claims arising out of the negligent acts or omissions of any or all of the foregoing persons/entities or others.

Compliance

It is the responsibility of the Resident to observe recognized standards of conduct that permit all residents to live in and maintain a safe, secure environment. Each student has the right to study and sleep without unreasonable noise or disruption, and in balance with overall community needs. In addition to meeting all monetary obligations, the Resident agrees to adhere to provisions contained in the student handbook and all other published University policies, procedures, and regulations, including health and safety policies applicable to University housing. Failure to comply with conditions of the housing agreement or the aforementioned policies, procedures, and regulations may impact a student's housing placement, and/or their ability to fully participate in housing selection processes.

The Resident further agrees to promptly and fully comply with verbal and/or written instruction by University officials, including members of the residential life staff. This agreement and the right of occupancy granted by it do not create or constitute a leasehold or other interest or right in real property, and may be terminated as provided in this agreement or in published Colgate University policies, procedures, rules, and/or regulations.

Obligations of the University

Subject to the terms of this agreement, Colgate University will provide space in University housing for four years or eight semesters of enrollment. The University may provide space to students beyond eight semesters of enrollment if available. The University does not provide graduate or family housing. This housing is provided to the Resident, together with furnishings, utilities, and routine repair and maintenance service. The Resident shall not attempt to perform repairs or maintenance, but shall instead notify the University Facilities Department, Office of Residential Life, or other designated University personnel of the need for repairs. Utilities are furnished in accordance with the design of the Resident's assigned room and the facility in which it is located, and shall be subject to load limits and availability. The University may charge the Resident for any extraordinary or unreasonable use of utilities, modifications to physical spaces, or other damage caused.

Payment and Refunds

University housing accommodations are for the full academic year, beginning and ending on the dates stated or referenced in this agreement. The Resident agrees to make the payments in accordance with standard University billing and payment procedures. If this agreement is terminated at any time prior to its expiration as a result of a disciplinary sanction or removal from student housing, refunds (if any) will be made in accordance with the University's published refund policy. Prorated refunds for room and board will be given for University-approved leaves of absence or withdrawals based on the refund policy as stated in the *University Catalog*. In the event that any refund is due to the Resident, the University reserves the right to offset the refund amount against any other amounts owed by the Resident to the University for any reason. The Resident will receive no reduction or refund of housing fees, nor will the University be liable to the Resident, as a result of interruption of services, utilities, appliances, or other equipment due to repairs, defects, or circumstances not caused by the gross negligence or willful misconduct of the University.

Transfer of Agreement

This agreement may not be assigned or otherwise transferred to, nor may the assigned room be sublet or otherwise be placed in the occupancy, control, or care of another individual or entity.

Conditions of Occupancy

The following regulations have been instituted by the University in the interest of the rights and welfare of all students. The University reserves the right to amend or supplement these regulations, or to adopt new regulations, from time to time, and such amended, supplemental, or new regulations will become effective and binding on the Resident when published by the University. Violations of the regulations may result in disciplinary action consistent with the Statement on Rights and Responsibilities of Students and the Code of Student Conduct, both of which are outlined in this student handbook.

1. ***Air Conditioner Use:*** Residents may not install air conditioning units in a University residence. If a student is approved for an accessible accommodation/housing adjustment of an air conditioner, following the University's established process, facilities staff must approve of and install the air conditioner at the University's expense.

2. ***Alcohol and Illegal Drugs:*** All Colgate University students are subject to New York State law, local statutes and ordinances, and Colgate's Policy on Alcohol and Drugs. Kegs of alcohol are never permitted in University residences. Excessive quantities of alcohol will be confiscated and the rapid consumption of alcohol is both dangerous and prohibited. Illegal drugs and drug paraphernalia will be confiscated. The possession, use, sale, or distribution of illegal drugs is prohibited. Students who violate state or local laws or University policies may be subject to criminal and/or University disciplinary action in accordance with the alcohol and other drugs policy. Ignorance of the law or of Colgate's policies is not an excuse for any violations. (Refer to elsewhere in the student handbook for the complete policy.)

3. ***Cleaning Responsibilities:*** Students are responsible for cleaning the interiors of their rooms/apartments/suites. Although many common spaces within University residences are cleaned regularly by the custodial staff, students are responsible for maintaining an environment in their personal and shared living spaces (including common areas) that is healthy and safe and does not require excess cleaning. Students may be charged for excessive cleaning fees and/or leaving their room in a condition that is unsafe or compromises the health of other residents. Students should thoroughly clean their rooms when they move out, including removal of all personal belongings. Students will also be charged cleaning fees if their room requires excessive cleaning upon moving out.

4. ***Damages:*** Residents will be financially responsible for any damages that occur to residential property as provided in applicable University policies, procedures, rules, and regulations. Damage to University residential facilities should be reported immediately to residential life staff. Additionally, inspections of all University residences will be carried out

to identify damage. Students are responsible for avoidable damages (damage that is the consequence of careless, willful, or malicious actions) and losses that occur in student residence halls. Damage fees shall be determined by the Facilities Department on the basis of labor and material costs. Charges are assigned equally to all occupants of the designated room, floor, building(s), or residential area, unless the person(s) responsible for the damage is/are determined by the University or assume(s) the charge. When individual responsibility for damage and loss in public areas (e.g., bathrooms, lounges, etc.) cannot be determined, a charge will be made to all students within a reasonably defined area (e.g., room, floor, building, etc.) following the same procedures as above. Students are not permitted to paint, renovate, or modify their rooms or furniture, and must hang decorations and/or art in accordance with stated protocols. Residential life staff may refuse, revoke, suspend, or reassign housing for a student or group of students based on inappropriate behavior or damages or the need for excessive cleaning. In addition, students who engage in patterns of inappropriate behavior that cause damage to campus property or necessitate excessive cleaning may be denied the ability to participate in future housing processes.

5. ***Doors:*** For safety and security reasons, students may not tamper with the security functions of interior doors or prop or tamper with exterior doors.

6. ***Exterior of Property:*** Students may not erect or install temporary or permanent structures on University property without prior approval from a University official. Items requiring prior approval include, but are not limited to, lighting, holiday decorations, flags or other signage, wading pools, ice rinks, slip-and-slides, stages, tents, and inflatable structures/games. Residents of the Townhouses are required to keep porches and steps of their residences up to the sidewalk clear of snow and ice at all times.

7. ***Fire Safety – Evacuation:*** Evacuation routes have been posted in all residence halls. All University fire alarms report directly to campus safety. For life safety, students are required to evacuate a building immediately following the activation of a fire alarm. Individuals who fail to evacuate a University building during a fire alarm will be subject to disciplinary action including but not limited to significant fines and/or suspension. In accordance with New York State fire codes, fire drills are conducted each semester to ensure campus residents are familiar with building evacuation routes.

   Fire Extinguishers and Other Fire-Safety Devices: Every residential hall is equipped with fire extinguishers and every student room is equipped with smoke detectors. Tampering with, obstructing, or the inappropriate use of any fire safety equipment (including but not limited to fire extinguishers, smoke detectors, or fire sprinklers), is considered a serious offense that will lead to disciplinary action and may include suspension.

8. ***Items Prohibited for Reasons of Fire Safety***: The following items are prohibited from use or storage within student housing facilities:

   a. Appliances with an open heat source such as but not limited to toaster, toaster oven, hot plates, sandwich makers, and air fryers unless in designated kitchen areas. Approved appliances (including microwaves and refrigerators) must be plugged *directly* into the wall outlets.
   b. Candles (even for decorative purposes and unlit), potpourri, wax or oil burners, incense, halogen lamps, lava lamps, and neon signs. Students with questions regarding religious observance practices involving the use of candles or incense should contact the Office of the Chaplains.
   c. Flammable liquids (including but not limited to turpentine, paint, gasoline, propane, kerosene, charcoal lighter fluid, ether, or butane), equipment that uses combustible fuel (e.g. motorcycles, mopeds, fueled torches). Additionally, fireworks, including sparklers, explosives, and ammunition are not permitted.
   d. Grills may be used ten feet from the residential facility and may be stored on porches at Broad Street houses and the townhouses without propane. Students who have questions about the storage of propane and/or lighter fluid related to the use of grills should contact Residential Life at reslife@colgate.edu.
   e. Extension cords without an installed circuit breaker or surge protection device. (Power strips with circuit breaker overload protection that are UL or ETL certified for safety should be used instead.)
   f. Hoverboards, self-propelled skateboards/scooters, and similar devices.
   g. Natural holiday trees and garland are prohibited in all residential facilities. UL approved lights may be used for decorative purposes; however, they may only be hung on the exterior of residence halls with approval and proper connections. All holiday decorations must be removed prior to semester breaks. Further, nothing may be placed or located at the bottom of a stairwell, in an egress, or within 25 feet of an exit.
   h. Space heaters and air conditioners; space heaters present a fire safety hazard and are not permitted in University residences; air conditioners are a safety and environmental concern. Students with concerns regarding temperature in their rooms should contact Facilities staff for assistance.

i. Please see the Fire Safety section for additional information and regulations. Additional requirements in the Fire Safety section must also be adhered to.

Items in violation of University policy will be confiscated or removed by a University official and will not be returned. (Refer to the complete Policy on Fire Safety elsewhere in this student handbook.)

9. ***Food Service:*** All first- and sophomore-year students must purchase/participate in one of the designated meal plans, regardless of location of housing assignment. All students residing in traditional residence halls must purchase/participate in one of the designated meal options.

10. ***Furniture:*** Furniture must remain in the room/unit to which it is assigned by the University. No University property may be removed from University residences at any time, or placed on porches or yards of University residences. No University furniture or property may be removed from lounges, conference rooms, or other community areas for use in student rooms or other locations. Students are not permitted to raise, lower, or loft their University beds without assistance from the Facilities Department. Waterbeds are not permitted in University residences. No indoor furniture may be placed outdoors (including without limitation on porches or decks of apartments, houses, or townhouses) except in emergency circumstances as necessary to protect health and safety. Any furniture that has been modified or damaged by students or is missing during inspection times or at move-out will be replaced or repaired by the University, at its option, at the expense of the residents of that particular residential area. Failure to observe these regulations will likely result in labor and/or replacement charges and/or disciplinary action.

11. ***Guests:*** Any non-resident of a room or apartment is considered to be a "guest" and must be sponsored by a host who is a resident of the hall, house, apartment, or townhouse. Although occasional overnight guests are permitted, the right of one's roommate(s) to sleep and study must be respected at all times. Therefore, no overnight guest(s) will be permitted in any room unless and until:

    a. Each room occupant gives consent.
    b. Any conditions on the guest's stay are understood by all concerned.
    c. These arrangements are confirmed and approved by all parties involved.

    Additionally, the following expectations apply:
    a. Duration of a guest's stay in University housing may not exceed three days.
    b. It is the responsibility of the host to explain residential life and University rules to guest(s). The host is accountable for the behavior of their guests during their entire stay on campus.
    c. Individuals under the age of 17 are not permitted in Colgate residential facilities unless they are a current Colgate student or are in the immediate company of a parent or legal guardian. Family members under the age of 18 must be registered with the Office of Residential Life.
    d. Residents are responsible for the behavior of their guests, including any violation of policy by their guest(s).
    e. Guests are only permitted between August 25, 2026–December 11, 2026, and January 16, 2027–April 30, 2027. No guests are permitted during final examination periods.

12. ***Keys and Other Access Control Devices:*** Keys and other access control devices (collectively, "keys") are issued only to the assigned occupant(s) of a room and with the presentation of a Colgate ID. "Swapping" keys without returning to the Office of Residential Life for approval and signing for the correct key may result in a lock-change charge and/or disciplinary action. Keys are the property of the University and duplication of University keys is expressly forbidden. Students may not give their key(s) to another person; keys should only be returned to Residential Life or approved drop boxes. Students who lose or do not return their keys to Residential Life by the end of approved occupancy will be charged $150 to cover labor and/or replacement expenses (e.g., rekeying or recoding) that are determined by the University to be necessary. Students are not permitted to install an outside lock on a bedroom, bathroom, closet, or suite door.

13. ***Maintenance:*** The Facilities Department addresses power and plumbing failures, as well as any general repairs. Any damage or malfunction in a student room or common area should be reported immediately to the Facilities Department between 7:00 a.m. and 4:00 p.m. on weekdays. For emergency maintenance during the weekends or evenings, please contact the heating plant at 315-228-7468 or Campus Safety.

14. ***Pets:*** Students are not permitted to have pets in University housing other than small aquarium fish (in tanks no larger than 10-gallon capacity) or assistance animals approved as reasonable accommodations by the Director of the Office of Student Disability Services (OSDS). Students approved to have an assistance animal must comply with the terms of the assistance animal agreement provided by OSDS. For general awareness and protection of University Staff and emergency responders, students with approved assistance animals are required to display University-issued signage, indicating the presence of the animal, in a prominent location at the main entrance of their residence. Lab specimens are strictly prohibited in University residences. Students with animals in their rooms will be subject to a cleaning, repair, or replacement charge as determined by the Facilities Department if the damage is caused by their animal. Students with unauthorized animals are responsible for rehoming the animal off campus and will also be subject to disciplinary action by the University.

15. ***Quiet Hours:*** Music, loud voices, and other loud noises should not be heard outside of University residences. Every student is responsible for respectful treatment of neighbors, in the community, and in off-campus houses and apartments. In addition to every student being responsible for the maintenance of good order and reasonable quiet in their room, students are also responsible for the maintenance of good order and reasonable quiet in the neighborhoods in and around campus. Students shall at all times show proper regard for others. All students must follow 24-hour courtesy hours and respect others' rights to live in an academically supportive environment. Minimum quiet hours in all residences are 10:00 p.m. to 8:00 a.m., Sunday through Thursday. Quiet hours on Friday and Saturday nights are 12:00 a.m. to 9:00 a.m. Quiet hours in Broad St. houses may be extended until 2:00 a.m. for approved social hosting events Thursday through Saturday nights. Residents are permitted to extend quiet hours but may not abbreviate quiet hours from those outlined above. The residential life staff will facilitate a process with residents of a designated area if they determine a need to extend these hours. Voices, televisions, speakers, musical instruments, and other audio equipment shall be adjusted so as not to disturb neighbors or the community. Please note that throughout the final exam period (from the end of the last class day until the end of the last final exam), 24-hour quiet hours are in effect. Any student residents or guests of houses or apartments with multiple noise complaints and/or citations by the Village of Hamilton will be subject to disciplinary action.

16. ***Restricted Areas:*** The presence of individuals, objects, or decorations on roof, balcony, or ledge areas is prohibited at all times for safety reasons and for protection of property, except in an evacuation emergency. Per the Policy on Restricted Areas found in the student handbook, students who enter roofs, fire escapes, or balconies, except in an emergency, will be subject to disciplinary action.

17. ***Right of Entry:*** Authorized University staff members, including but not limited to campus safety officers, residential life staff members, and facilities employees, may enter and inspect rooms at any time without permission or consent of the student occupant(s) for health and safety purposes, to conduct repairs, or to address actual or suspected violations of law or University policies, procedures, rules, and regulations, in each case subject to any applicable procedural requirements set forth in the Sstudent handbook. Residents are expected to comply with reasonable requests for entry.

18. ***Smoking:*** Smoking and vaping is prohibited in all Colgate facilities. Students who smoke or vape in rooms or common spaces will be charged cleaning and furniture replacement fees associated with related damage in accordance with the damage policy and will be subject to disciplinary action.

19. ***Storage:*** To maintain safety, comply with fire codes, and ensure equitable use of space, no personal belongings may be stored on campus — including inside bedrooms or within the common spaces of residence halls, theme houses, chapter houses, or apartments. This applies to all personal furniture, electronics (speakers, TVs), bed expanders, and general storage containers; any personal items left behind after official checkout periods will be considered abandoned and disposed of at the student's expense. Limited storage is available strictly for approved chapter-owned or thematic community items, which must be authorized through the approval process prior to storage, as space is not guaranteed.

20. ***Trash Collection:*** It is the residents' responsibility to deposit garbage and recycling into the appropriate location in order to keep their living area clean and sanitary. Students will be charged for any garbage cleanup facilitated by the Facilities Department and will be subject to disciplinary action for excessive or repeated occurrences of failing to dispose of their garbage or recycling.

21. ***Weapons:*** Weapons of any kind are not permitted on the Colgate University campus or in any building. It is a violation of University regulations to possess the following on campus or in University housing: rifles, shotguns, revolvers, pistols, replica weapons, spring-powered pellet (or "BB") guns, paintball guns, chemical/biological weapons, knives over six inches in length, brass knuckles, slingshot devices, ammunition, or any other substance or device designed to harm or incapacitate.

Rifles, shotguns, paintball guns, or ammunition may be stored at Campus Safety for use off-campus and/or permitted use at the Colgate Trap Range provided the requisite licenses in the State of New York are also obtained. This restriction does not apply to law enforcement personnel authorized by law to be in possession of such weapons. The discharging of weapons on the Colgate campus or in the Village or Town of Hamilton is illegal, poses an obvious threat to the lives and safety of residents, and will result in severe disciplinary and/or legal action against those responsible.

22. ***Windows and Screens:*** For reasons of health, safety, and maintenance, if screens are in place, they may not be removed from windows. In addition, decorations or personal items may not be hung outside a window or be placed on windowsills or ledges. Throwing objects out of windows is strictly prohibited.

23. ***Withdrawal/Separation from University:*** If the Resident is removed from University housing, or withdraws or separates from the University voluntarily or involuntarily, during the term of this agreement, they must, within 48 hours of the effective date of such action: 1) Notify the Office of Residential Life. 2) Immediately remove all belongings from the assigned room. 3) Return keys and/or other access control devices to the Office of Residential Life and complete proper checkout procedures. 4) Vacate the premises. Colgate University reserves the right to shorten the aforementioned period and/or to modify the above procedures if it determines such action to be necessary or advisable in connection with disciplinary proceedings or the Resident's involuntary removal from student housing.

Policies and Procedures

Off-Campus Housing/Living Off Campus

Consistent with Colgate's four-year residential education, the University approves a small number of seniors to live in private, non-University housing. Living in private off-campus housing is not the appropriate choice for all students. For many, the opportunity to live in Broad Street houses or to develop on-campus communities in Colgate-owned apartments or townhouses better meets their interests. Moreover, Colgate is acutely aware of the impact that a large number of off-campus students can have on local residents. As such, Colgate normally limits the number of students allowed to live off campus to approximately 30 percent of the senior class depending on enrollment and class size. Approval to live in private off-campus housing is not afforded to all students.

Living in private off-campus housing is intended to provide students with the opportunity to develop the skills needed to manage a household and live as part of a broader community, and to accept the responsibilities attendant to this privilege. The experience that students gather through negotiating a lease with a landlord, paying rent, managing routine expenses, maintaining a kitchen, and living among neighbors of varied ages and backgrounds can be invaluable in preparing them for life after college.

The following guidelines govern off-campus living for enrolled undergraduate students at Colgate University:

1. ***Private Off-Campus Housing Selection Process***: To be exempted from the seven-semester residency requirement and live in privately owned off-campus housing, students must participate in and be approved through the private off-campus housing selection process in the fall prior to their senior year. Consistent with Colgate's residency requirement, only students who have approval may live in non–Colgate housing. The selection process includes review of a student's conduct record, with particular attention to: health, safety, or fire violations in residential facilities, repeated alcohol or other drug incidents, vandalism, disrespectful conduct, and/or unsanitary behavior within University housing facilities. Students with incidents of this nature may be deemed ineligible to participate in the private off-campus lottery. The Dean of the College staff may, in its discretion, deny or revoke permission to live in private off-campus housing to individual students who have violated the Colgate Code of Student Conduct, particularly when the violations call into question their ability to live in the local community without disrupting or endangering their neighbors.

   The University does not endorse any landlord, management company, or individual who lists available rentals with the Office of Residential Life. The residential life staff may serve as resources only, offering information and programs that help students approved to live off campus to understand lease agreements, town ordinances, and expectations while living in the village.

2. ***Neighbor-to-Neighbor Program***: All students approved to live in private off-campus housing must participate in the Neighbor-to-Neighbor program administered by the Office of Residential Life by the end of the spring semester of their junior year. The Neighbor-to-Neighbor workshop provides students with important information about living in the Hamilton community, resources available to them if they encounter difficulties, and expectations for student conduct while living in the village.

3. ***Adherence to Code of Student Conduct***: The Colgate University Code of Student Conduct applies to student behavior both on and off campus. The University is sensitive to the importance of maintaining quality of life standards for our neighbors in the Hamilton community. As such, students living in private off-campus housing whose conduct adversely impacts the lives of their neighbors may, in addition to facing disciplinary action from the University, will have their permission to live off campus revoked. Financial penalties incurred by breaking a lease will not be considered in determining whether to revoke a student's permission to live off campus.

4. ***Prohibition of Off-Campus Congregate Living***: Colgate defines congregate living as any group of nine or more students living in one residential location with common kitchen and bathroom facilities and common social spaces. (This does not include multi-unit apartment buildings or houses with discrete sets of facilities.) Students granted permission to live off campus are not permitted to reside in off-campus congregate living facilities.

Summer Housing

Colgate University provides a summer housing option for incoming students participating in a University activity or program and current, matriculated undergraduate students who are participating in an approved University activity (e.g. research, on-campus employment, or athletic program). All students residing on campus will be required to have a meal plan, which is included in the nightly rate. Summer housing is not available for individuals who are separated from the institution.

Policy on Housing Accommodations and Considerations

Please keep in mind that a reasonable arrangement in housing may not be one's preferred housing assignment. The University's ability to meet students' housing needs will vary based on a variety of factors including timely receipt of request, available housing, and the needs of other students.

Accommodations for Students with Disabilities: Requests for housing accommodations for students with disabilities are included as part of the process for requesting disability accommodations generally. Refer to **colgate.edu/accommodations-policy**.

Housing Considerations for Religious Reasons: Colgate is committed to supporting students who wish to practice their religious beliefs. Most students will be able to practice their religious beliefs without modifications to housing. Students with a specific need for a housing arrangement to meet religious requirements or doctrine should contact the Office of the Chaplains at 315-228-7682, or stop by their office located in the garden level of Memorial Chapel, to discuss their options. Students may also contact the Office of Residential Life to explore possibilities at 315-228-7367 or visit their office located in Drake Hall.

To support a request for a religious housing consideration, the student must include a description of the consideration requested, the reason the consideration is needed, and a statement of support from the student's religious leader, which should be included on the religious leader's letterhead. The letter should also include the religious leader's contact information for purposes of any follow-up. Requests will be considered by the offices of the Chaplains and Residential Life on a case-by-case basis with the goal of supporting students with their religious practices and beliefs.

Housing Options Aligned with Gender Identity:
Colgate is committed to supporting all students with specific housing needs based on their gender identity, including students who do not identify with the gender assigned to them at birth or students who wish to be assigned based on a single-gender residence hall. Students may discuss housing options based on their gender identity by contacting the Office of LGBTQ+ Initiatives at 315-228-6840 or by visiting the office located in the garden level of East Hall. Requests will be considered by the Office of LGBTQ+ Initiatives and the Office of Residential Life on a case-by-case basis.

Campus Safety

Policy on Use of Colgate Vehicles

Colgate policy prohibits anyone from operating any Colgate-owned vehicle while under the influence of alcohol or controlled substances. Drivers using medication that could impair their ability to drive are also prohibited from operating a Colgate vehicle.

In addition, Colgate policy prohibits the use of alcoholic beverages or controlled substances by passengers in a Colgate vehicle. It is the responsibility of the senior official present (e.g., team captain, athletics staff member, academic officer, professor, etc.) to enforce these policies. If no senior official is present, the driver must assume the responsibility of enforcing these policies. Evidence of a violation will result in loss of the privilege of operating a Colgate vehicle. These rules are necessary to protect lives and property and to meet standards of safety suggested by Colgate's insurance carrier.

Students requesting permission to drive Colgate vehicles will be required to complete an online course and pass a driving test using a University van, as well as read and agree to abide by rules and regulations provided by campus safety. They will also be asked to make their driving records available to Colgate. Colgate vehicle licenses will be valid for one year and must be renewed in subsequent years by attending a one-hour driver safety refresher class and maintaining a good driving record. The University reserves the right to deny permission to drive a Colgate vehicle based on the review of driving records or subsequent infractions. See policy at **colgate.edu/motor-vehicle-use**.

Policy on Motor Vehicle Registration

All students who have a motor vehicle on campus are required to register the vehicle at the Department of Campus Safety within 24 hours of arrival. Failure to abide by the University's motor vehicle registration requirement and/or parking regulations, may lead to fines, booting, and towing at the owner's expense, and/or disciplinary action, including loss of parking or driving privileges on campus. This includes adherence to all New York State vehicular traffic laws, posted speed limits, and other vehicle and pedestrian signs, signals, and controls. Reckless driving or excessive speed will not be tolerated. See policy at **colgate.edu/parking**.

Policy on Parking

Parking regulations are in effect 24 hours a day throughout the academic year, including the period between semesters, mid-semester recesses, and rare instances when the University is closed. On campus, overnight parking is prohibited in all parking lots and roadways from 3 a.m. to 7 a.m.

All students, including students with off-campus permits, may park any time in the following areas as noted:

- General Use Lot
- 113 Broad Street Lot
- Andy Kerr Stadium Lot (except for between the overnight hours of 3 a.m.–7 a.m., 7 days per week)
- Parking lots located behind student housing on Broad Street, excluding 49 Broad Street
- Townhouses
- Any College Street Apartments (Newell, Parker, University Court) parking lot (Overnight parking from 3 a.m.–7 a.m., 7 days per week, is only allowed in the rear parking lots.)

Please note: Student parking restrictions on campus are lifted between 4:30 p.m. and 3 a.m., Monday through Friday, and all day on Saturdays and Sundays. During those times, parking is permitted in any designated, unrestricted, legal parking space on campus, with the exception of the faculty/staff spaces at Case-Geyer and the staff spaces at the residence halls. Overnight parking (3 a.m.–7 a.m., every night) is only authorized in the designated student parking lots. Violators may be towed, particularly during snow removal months.

All parking is on a first come, first served basis and, therefore, a campus vehicle registration does not guarantee a parking space. Students are responsible for ensuring that their visitors and guests obtain temporary parking permits and park legally. Students with unregistered vehicles, fines in excess of $150, or more than 3 parking tickets may be subject to disciplinary charges, which may result in the loss of parking privileges. See policy at **colgate.edu/parking**.

Policy on Speed Limits

The maximum allowable speed on campus is 25 mph. A lower speed limit of 13 mph applies to Academic Drive, Alumni Rd, and Oak Drive from Academic Drive to the observatory.

Policy on Restricted Areas

For safety reasons and for protection of property, the presence of individuals or objects on roof, balcony, or ledge areas is prohibited, except in an evacuation emergency.

Policy on Identification Cards ('Gate Cards)

The Campus Safety Department issues and maintains official Colgate student identification cards (referred to as 'Gate Cards). The card includes the student's photo (in color), identification number, and date of birth. 'Gate Cards are the sole instrument for personal identification and serve as a student's key, payment method, and more. 'Gate cards are used for building access, dining services' meal plans, Colgate Bookstore purchases, library services, vending/laundry machines, admission to Colgate events, etc. The card is issued free of charge, but a fee is assessed to replace lost, mutilated, or stolen cards. Students may be required by University officials to produce their 'Gate Cards to verify personal identification, and should carry them at all times. Students are reminded that forgery

or alteration of a 'Gate Card, and presenting another student's identification card to falsely identify oneself or to obtain services, building access, and/or products is considered a violation of the Code of Student Conduct and may result in disciplinary action.

Policy on Lost and Found Items

Contact Campus Safety to report lost items or to turn in found property. In the interest of health and safety concerns and to ascertain the proper owner of lost or abandoned property, Colgate officials reserve the right to inventory such property and to take disciplinary and/or legal action if the contents are contrary to Colgate policy or New York State law.

Policy on Smoking

All indoor areas of the University are designated as no-smoking areas by New York State law, where no person shall smoke, vape, or carry a lighted cigar, cigarette, pipe, or any other form of smoking object that is used to smoke tobacco. Further, the University expands the definition of smoking to also include any and all other legal substances such as cloves or any illegal substances including, but not limited to, cannabis. Smoking and vaping is also prohibited in Colgate-owned vehicles. Smoking (including vaping) is prohibited within 25 feet of building entrances, building ventilation systems, and operable windows. Although all persons are strongly encouraged to avoid smoking on campus altogether, smoking is permitted in areas outside of buildings, provided that the distance from entrances and windows is maintained.

All faculty, staff, and students share in the responsibility for adhering to and enforcing this policy and have the responsibility for bringing it to the attention of visitors. Supervisors are expected to implement this policy in their areas. A complaint or concern regarding this policy should be promptly referred to the immediate supervisor or appropriate dean or vice president for resolution. Violations of this policy will be dealt with in a manner similar to violations of other University policies, with an attempt to resolve the problem as simply as possible, but allowing for disciplinary action if necessary.

Policy on Weapons

Weapons of any kind are not permitted on the Colgate University campus. It is a violation of University regulations to possess the following on campus or in University housing: rifles, shotguns, revolvers, pistols, replica weapons, spring-powered pellet (or "BB") guns, paintball guns, chemical/biological weapons, knives over six inches in length, brass knuckles, slingshot devices, ammunition, or any other substance or device designed to harm or incapacitate. Rifles, shotgun, paintball guns, or ammunition may be stored at Campus Safety for use off campus and/or permitted use at the Colgate Trap Range, provided the requisite licenses in the State of New York are also obtained. This restriction does not apply to law enforcement personnel authorized by law to be in possession of such weapons. Exceptions related to educational programs require written authorization by the director of campus safety. The discharging of weapons on the Colgate campus or in the village or town of Hamilton is illegal, poses an obvious threat to the lives and safety of residents, and will result in severe disciplinary and/or legal action against those responsible.

Policy on Fire Safety

Evacuation routes have been posted in all campus buildings. All University fire alarms report directly to campus safety. For life safety, students are required to evacuate a building when a fire alarm is activated. A room-by-room evacuation check is conducted during every fire alarm. Individuals who fail to evacuate a University building during a fire alarm will be subject to disciplinary action. In accordance with New York State fire codes, fire drills are conducted each semester to ensure campus residents are familiar with building evacuation routes.

The willful report of a fire and/or initiation of a fire alarm system activation (alarm) when no such danger exists is illegal and subject to disciplinary action. Intentionally setting a fire in or on University property (including any unpermitted bonfires) or causing a fire through gross negligence is strictly prohibited. Students found responsible for either of these acts will be subject to disciplinary action.

All Colgate University buildings are outfitted with fire safety equipment. Tampering with, obstructing (including covering smoke detectors), or the inappropriate use of any fire safety equipment (including, but not limited to, fire extinguishers, smoke detectors, and fire sprinklers) is considered a serious offense that will lead to disciplinary action. In residential buildings where no student accepts responsibility for damaged or expended fire safety equipment, the Office of Residential Life may, at their discretion, assess charges assigned equally to residents of a designated area.

The possession and/or use of fireworks on University property without a permit obtained from the Village of Hamilton via the Colgate University Department of Emergency Management is prohibited. Students who possess or use fireworks will be subject to disciplinary action.

Grills may be used ten feet from the residential facility and may be stored on porches at Broad Street houses and the townhouses without propane.

For fire safety reasons, use or storage of the following items is prohibited in all University student housing facilities. Items in violation of University policy will be confiscated or removed by a University official.

1. Candles (even for decorative purposes and unlit), incense, potpourri or oil burners, halogen lamps, lava lamps, and neon signs. Students wishing to use candles as part of religious observance should contact the Office of Residential Life for approved designated locations for candle use.

2. Flammable liquids (including, but not limited to, turpentine, paint, gasoline, propane, kerosene, charcoal lighter fluid, ether, or butane) or equipment that uses combustible fuel (e.g., butane/fueled torches, motorcycles, mopeds).

3. Extension cords without an installed circuit breaker/protection device. Power strips with circuit breaker overload protection that are UL or ETL certified for safety should be used instead.

4. Larger appliances including refrigerators and microwaves must be plugged directly into a wall outlet (extension cords and powerstrips are not allowed with these appliances).

5. Natural holiday trees and garland (including for decorative purposes during the holidays). UL-approved lights may be used for decorative purposes. Nothing may be placed or located at the bottom of a stairwell, in an egress, or within 25 feet of an exit.

6. Students may decorate up to 50 percent of the wall space in their rooms with combustible materials (e.g., posters). Fiberglass or other fire-resistant hangings are acceptable. Tapestries are not allowed in student rooms unless the fire-resistant rating is clearly affixed to the tapestry and documentation of fire-resistant materials is submitted to the fire safety director. No items may be affixed to, installed in, or suspended from the ceiling or exposed pipes in any student rooms.

7. Personal storage of any kind is not allowed in hallways or egress paths due to tripping hazards (including shoes and welcome mats).

See guidelines at **colgate.edu/fire-safety-guidelines**

Emergency Closing Policy

The University will make every effort to provide essential services to residential students and campers, even in cases of extreme adverse weather or other emergencies. Therefore, the University will almost always remain open.

Under extraordinary conditions, however, the University may: (1) close entirely and cease operations (2) close while asking essential personnel to report (3) close during operating hours while asking essential personnel to remain and/or report or (4) delay opening while asking essential personnel to report or (5) early release due to extreme adverse weather or other campus emergency.

See full policy at **colgate.edu/about/campus-services-and-resources/emergency-closing-policy**

Expenses and Financial Aid

The *University Catalog* contains policies and requirements regarding the following expenses and financial aid matters:

Expenses

- Application Fee
- Charges
- Visiting Students
- Insurance
- Students Studying Off Campus
- Graduate Students
- Billing Schedule
- Payment of Bills
- Withdrawal and Refund Policy
- Leave of Absence Fees and Deposits

Financial Aid

- Eligibility
- Limitations
- Continuation of Aid
- Yellow Ribbon Program
- Athletic Scholarships
- Standard, Current Descriptions of Financial Aid Programs
- Additional Information

Academic Regulations

The *University Catalog* contains requirements regarding the following Academic Regulations:

- Requirements for Graduation
- Residency Requirement
- Physical Education Requirement
- Registration
- Normal Course Loads
- Independent Study
- Registration Restrictions
- Repeating a Course
- Grading Policies
- Satisfactory/Unsatisfactory (S/U) Option
- Withdrawal from a Course
- Class Attendance
- Class Standing
- Minimum Academic Progress
- Academic Warning and Suspension
- Off-Campus Study
- Leaves of Absence
- Transfer Credit Policy and Procedures
- Advanced Placement and Pre-matriculation Transfer Credit
- Transfer Student Program
- Petitions for Exemptions
- Changes to Academic Records
- Degree Conferral

Policy for Participating in the Commencement Ceremony

Colgate holds commencement (graduation ceremony) annually in May. The following criteria outline eligibility for Colgate students to participate in this ceremony.

To fully participate in commencement (i.e., to graduate), students must have satisfactorily completed a minimum of 32 course credits (including no more than two course credits from add-on fractional credit) and have fulfilled all graduation requirements. Students who have not completed their graduation requirements but would like to participate in commencement events are eligible if they have:

1. at least 28 credits (including earned and in-progress) after the spring term withdrawal deadline, and
2. no more than one additional semester in residence needed after the spring semester.

Additionally, an "Application for Commencement Participation" must be submitted to the registrar's office by March 31. With approval, students in this category will be eligible to participate in all aspects of the commencement ceremony. These students' names will be included in the commencement program with an associated reference indicating the anticipated graduation date. These students will receive an empty diploma cover on stage and will not receive their diploma until all degree requirements have been satisfied. Students may participate in only one commencement ceremony.

Students who do not have at least 28 Colgate course credits (including earned and in-progress courses) and/or need more than one additional semester in residence will not be permitted to participate in graduation ceremonies on any basis and will not be listed in the commencement program, irrespective of their class year upon matriculation at Colgate University.

Questions about this policy should be referred to the Office of the Registrar in 103 Lathrop Hall.

Policy on Review of Course Grade

Preamble

The instructor of record for a course is the sole judge of students' academic performance in the course (or instructors of record for team-taught courses). Instructors are responsible for clearly articulating the basis for determining students' grades, and students are entitled to fair, equitable treatment in their academic relationships with members of the faculty. Grades are to be assigned in a manner consistent with institutional policies and procedures. Sharing the basis for grades is essential to ensure fair and equitable treatment of students and their work, and students have the right to be informed in a timely and clear manner of the basis for the evaluation of their academic performance in a course.

In all possible instances, questions regarding grading should be settled through informal communications between students and faculty. Students should explore this option before pursuing a formal review of a course grade.

Formal Review of Course Grade Procedure

Courses at Colgate are typically housed within a department, with an associated department chair, or a program, with an associated program director; and the department or program is housed within an academic division, with an associated division director. Below, "department" will be used to refer to a department or program, and "chair" will be used to refer to both department chairs and program directors. Any questions regarding the department, chair, or division director associated with any given course should be directed to the Dean of Academic and Curricular Affairs.

The Dean of the Faculty and the Dean's Advisory Council have established the following formal review of course grade procedure:

Disagreement with or disappointment in an instructor's judgment of the quality of academic work will not be considered grounds for a student's request for a formal review of a course grade. Students may initiate a formal review of course grade if, after receiving an explanation of the basis of the course grade from the faculty member (or having clearly requested an explanation of the basis in writing and not having received a written response), the student has compelling reasons to support the argument that the grade in the course was improperly arrived at due to any one of the following four factors:

1. computational error,
2. the instructor clearly and substantially deviated from the basis for grading in the course,
3. the course grade resulted from the application of criteria or factors other than academic performance,
4. the instructor assigned the course grade in a manner inconsistent with Colgate's policies and procedures (including, but not limited to, Colgate's Non-Discrimination/Sexual Misconduct Response Policy.)

Students who have a complaint about a course grade based on one (or more) of the above improper factors should in all but the most sensitive cases raise their concerns directly with the instructor of the course. The student should write the instructor with an explanation of their basis for believing the assigned course grade is inaccurate based upon one (or more) of the improper factors listed above. The student should write to the faculty member as soon as practicable once course grades have been made available by the Registrar (but within 30 days of grades being posted by the Registrar). The instructor should normally respond to the student in writing within 30 days of receipt of the written concerns, either explaining how the course grade was assigned in a proper fashion, or acknowledging that a mistake was made and that a change of course grade will be initiated by the faculty member if allowed by Colgate policy. If the written communication between the instructor and student results in the instructor desiring to change the course grade, then the instructor will submit a change of course grade form following established procedures.

If the written exchange between faculty member and student fails to bring about a resolution, the student may then forward their written complaint with any supporting materials to the chair of the department housing the course in question, copying the instructor. The chair should then consult with the instructor and strive to find a resolution consistent with Colgate policy and procedures. If, after this consultation, the instructor and student remain in disagreement, the chair should forward all written

materials to the Dean of Academic and Curricular Affairs, along with the chair's written summary of the situation. In the case the course instructor is the department chair, the associated division director will serve in the capacity of chair. In the rare and atypical circumstance that the chair perceives a conflict of interest or other history with the instructor of record or the student, the chairperson may contact the Dean of Academic and Curricular Affairs to discuss whether a surrogate for the chair should be appointed by the dean.

The Dean of Academic and Curricular Affairs will share the submitted materials with the Director of Arts and Humanities, the Director of Natural Sciences and Mathematics, the Director of Social Sciences, the Director of University Studies, and the Associate Provost for Equity and Diversity. This group (inclusive of the Dean of Academic and Curricular Affairs) will consider all of the written materials forwarded by the chair, and after a preliminary consideration of that material, may conduct interviews or solicit responses to directed prompts to any of the parties involved (instructor, student, chair, and/or other offices, such as the Office of Equity and Diversity, that may have relevant information). After considering all of the information available, the review group will make a final determination as to whether it is more likely than not that the grade in the course was arrived at in a manner consistent with policy, or instead due to one (or more) of the improper factors listed above.

If the review group determines (via majority vote) that it is more likely than not that the course grade was assigned in a manner consistent with policy, the Dean of Academic and Curricular Affairs will communicate this finding to the student, instructor, and chair, and that will end the matter.

If the review group determines (via majority vote) that it is more likely than not that the course grade was assigned based on one (or more) of the improper factors listed above, the Dean of Academic and Curricular Affairs will communicate that finding to the student, instructor, and chair, along with the Review Group's determination of how the matter will be resolved.

If the vote is evenly split, the grade will be presumed to have been assigned consistent with policy, and the matter will be closed.

In all instances, the determination of the Review Group shall be final.

Grades appearing on a student's academic record may normally not be changed after one semester from the end of the term in which the grade was awarded. Under extraordinary circumstances, grade changes beyond one semester — but before graduation — may be approved by the Dean of Academic and Curricular Affairs.

No grades may be changed after a student has graduated.

Policy on Transcript Notation

Ongoing Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy Investigation and Hearing or Student Conduct Board Charge

The University reserves the right to place a hold on the release of a student's transcript if that student has an investigation or charges against them pending for violation(s) of the Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy or for charges under the Code of Student Conduct.

Suspension or Expulsion

For crimes of violence, including, but not limited to, sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act, institutions shall make a notation on the transcripts of students found responsible after a conduct process that they were:

1. "Suspended after a finding of responsibility for a code of student conduct violation" or
2. "Expelled after a finding of responsibility for a code of student conduct violation."

Withdrawal

For the respondent who withdraws from the institution while such conduct charges are pending, and who declines to complete the disciplinary process, institutions shall make a notation on the transcript that they "Withdrew with conduct charges pending."

The University reserves the right to not permit a student to withdraw if that student has an investigation or charges against them pending for violation of the Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the University may opt to proceed *in absentia* to a reasonable resolution and that student will not be permitted to return to Colgate unless all sanctions have been satisfied.

Removal of transcript notation

Appeals seeking removal of a transcript notation for a suspension may occur, but the notation must remain at least one year after conclusion of the suspension. Appeals for removal of a transcript notation should be directed to the Office of Equity and Inclusion for violations of the Student Non-Discrimination, Anti-Harassment, and Sexual Misconduct Policy and to the Office of the Dean of the College for violations of the Code of Student Conduct. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed. Questions regarding this policy should be directed to:

For violations of the Student Nondiscrimination, Anti-Harassment, and Sexual Misconduct Policy:

Amy Gordon, Title IX Coordinator
102 Lathrop Hall
315-228-7014
argordon@colgate.edu

For violations of the Code of Student Conduct:

Kimberly Taylor, Dean for Administrative Advising and Student Conduct
121 McGregory Hall
315.228.7426
ktaylor@colgate.edu

Policy on Exemption from Policies and Regulations

The diversity of experiences brought to the campus by some of our students occasionally provides plausible grounds for exemption from a particular requirement or regulation based upon unique circumstances. Students who wish to petition for an exemption from a University requirement or regulation should first consult an administrative dean, who can advise them of the procedures to follow in their particular case.

The Petitions Committee receives petitions from students seeking exemption from the graduation requirements of the University, including the transfer credit limit, the residency requirement, and the Liberal Arts Core Curriculum program. The committee does not exist to hear "petitions in general" from students, nor does it exist to hear appeals from administrative decisions. Students should consult an administrative dean and their academic adviser before developing a petition. Exemptions from graduation requirements are granted only by the Petitions Committee. Exemptions are approved for compelling academic reasons, or when a true hardship exists for the student through no fault of their own and when no other solution can be found.

The Committee on Standards and Academic Standing (CSAS) considers petitions from students seeking exceptions from routine deadlines or policies (late course drops and adds, withdrawal from a course after the announced deadline, etc.) that are not mandated by the University Catalog graduation requirements. This committee meets regularly during the academic year, and students may file a petition through an administrative dean. This committee, with expanded faculty membership, also meets at the end of each semester in academic review mode to consider petitions from students who have been academically suspended or dismissed.

Policy on Academic Suspension and Readmission

The Committee on Standards and Academic Standing (CSAS) reviews the academic performance of all students at the end of each term. Failure to meet the academic standards in a term, as described in the *University Catalog*, will result in academic suspension. Students who have been academically suspended are not eligible to return until two semesters have elapsed.

Students who have been academically suspended may appeal this decision by filing a written appeal to the CSAS in accordance with the procedures outlined in their dismissal notification letter. If a student's appeal is granted, their status is changed from "academically suspended" to "retained on academic warning." A second academic dismissal is permanent.

Following an academic suspension, the student must leave campus and abide by the Policy for Student Presence on Campus While a Student Is Separated from the University contained elsewhere in this handbook.

Colgate's academic standards are contained in the University Catalog in the Academic Regulations chapter under the headings of "Minimum Academic Progress" and "Academic Warning and Suspension" and are worthy of careful review.

Readmission

One fall and one spring term must elapse before an academically suspended student is eligible to return to Colgate. Students must apply for readmission through their administrative dean, according to the following timetable:

Deadlines**

Fall term	March 15
Spring term	October 1

**Note: If transcripts of academic work cannot be submitted by the due date, they may be submitted at the end of the term. This may result in a delay of the readmission decision. Please note that all other materials must be received by the indicated due dates.

Failure to meet the above deadlines may result in a denial of the petition or delay readmission until a subsequent semester. Students returning from academic suspension are automatically placed on academic warning for the first term back. The administrative dean will outline the terms of academic warning in the readmission letter.

Requirements for Readmission

Students who have been academically suspended must demonstrate that they have the capacity to succeed in a structured and rigorous academic environment before they are approved to resume their studies at Colgate. They must be employed in a full-time job for at least six months or successfully complete at least two full-time courses (grades of "B" or higher) at an approved two or four-year college or university in the student's home country. Academically suspended students must consult the Colgate registrar ***in advance*** for approval to take courses at another institution for subsequent transfer to Colgate. Note also that no more than six course equivalents may be transferred to Colgate from all sources (e.g., pre-college, Advanced Placement, and other colleges). Please see the **Transfer and Pre-Matriculation Credit** website for the current information regarding transfer credit eligibility and procedures. While it is not a requirement that coursework be eligible to transfer to Colgate to meet the standards for reinstatement, it is often advised by a student's academic adviser to take courses that are approved for transfer credit toward their Colgate degree.

Students should consult their administrative deans in planning their time away from Colgate. Administrative deans need to approve a student's plans to demonstrate their capacity to succeed in a structured environment.

Readmission Application

The application for reinstatement should address the issues that led to the academic suspension and present evidence supporting the student's success upon returning to Colgate. All supporting documentation and the meeting with the administrative dean must take place before the student can be readmitted. The student's petition must include the following:

1. The student's written statement describing how the time away has been spent, addressing the issues that led to suspension and sharing why those problems will not reoccur should the student return to Colgate.

2. If the student's plan to work full time for six months has been approved by the administrative dean, the student must document the employment and provide two letters of recommendation, at least one of which is from the employer who supervised the student's work. Employers/supervisors can also provide a phone reference to the administrative dean in lieu of a written letter of recommendation.

3. If the student plans to enroll in at least two full courses at an accredited institution, the student must provide a transcript showing that grades of "B" or better were earned in the courses.

4. A meeting with the student's administrative dean regarding their plan for the upcoming semesters.

5. Optional: additional letters of recommendation or support.

Use of Services

Policies Governing the Use of Libraries

The University Libraries website contains library policies governing the use of materials and facilities. Areas include the following:

- Borrowing Rules
- Copyright Guide
- Course Reserves for Students
- Government Documents
- Interlibrary Loan Policy
- After Hours Access
- Classroom Use Policies
- Facility Use Policy
- Food Policy
- Guest User Guide
- Library Locker Policy
- Senior Thesis Carrel Policy
- Services for People with Disabilities Policy
- Spaces Occupied by Unattended Items
- Access Policy
- Copyright & Permissions Policy
- Reproduction Policy
- Restricted Records Policy
- Use of Collections Policy
- Computer Use Policy
- Plasma Screen Policy
- Printing Policies

Policies Governing the Use of Information Technology Services

The ITS policies governing access to network services, repairs, email hardware and software, security, responsible use of networks and facilities, noncompliance and sanctions, and other areas are outlined online and are subject to change through established procedures. Areas include the following:

- Policy on Acceptable Use
- Copyright Violation Policy
- Equipment Borrowing Policy
- Stewardship and Custodianship of Email
- Noncompliance and Sanctions
- IT Account Policy

See **colgate.edu/ITS-policies**

Policy on the Use of Campus Mail

Campus mail is not protected by U.S. Postal Service regulations. Items other than official University mail may be delayed or stopped if it appears they are in violation of the rules. Sealed material may be held until the originator can be contacted to open and verify the contents or to withdraw it from the mail system. If necessary, it may be opened by the director of mail services to determine the nature of the contents and/or the originator. If the originator cannot be identified, material will be held for one week. It will then be turned over to campus safety for further investigation or destroyed.

1. ***Services***: In addition to the U.S. Mail, Colgate's mail service distributes official University mail and notices to employees and students. Students may use the campus mail to exchange personal correspondence with other students or employees.

2. ***How to Use Campus Mail***: All items placed in the campus mail for distribution must clearly identify the originator and the name and Colgate box number of the addressee.

3. ***Restrictions***: The following materials will not be delivered via campus mail:

a. Advertising, solicitations, or promotional material for commercial or private activities or for personal gain

b. Bulk mailings of materials that do not identify the originator and are not addressed to the recipient by name and box number

c. Any type of material, correspondence, or literature that would be illegal for distribution through the U.S. Postal Service

4. ***Distribution***: Student organizations needing to make a distribution of notices or other material must seek approval in advance from the director of the Office of Student Involvement and must coordinate their needs with the supervisor of mail services. Large or other non-standard items (boxes of candy, "free sample" items, etc.) are of special concern due to the size limitations of mail boxes.

University Photography and Video Release Policy

Colgate University and the Office of University Communications are committed to the realities of the current Colgate student lifestyle — visualizing the mentorship and faculty/student interactions, the learning moments, the teaching moments, the camaraderie, the special bonds that develop amongst its community members. We celebrate our achievements through emphasizing the Colgate community as the source of institutional inspiration and innovation.

In order to respect and protect the privacy and interests of Colgate's students on campus and at institutional activities, Colgate has implemented a photography/video release policy that governs the nature of photographs and multimedia, generated by the University, for intended use in any and/or all University publications including, but not limited to, the Colgate website (colgate.edu), newsletters, programs, brochures, institutional calendars, social media, or mass media outlets.

This policy grants Colgate University permission to use the likeness of Colgate students captured in photograph(s)/video for any and all of its publications and in any and all other media, whether now known or hereafter existing, controlled by Colgate University, in perpetuity. Additionally, it asserts that no monetary or other claim against Colgate University for the use of the photograph(s)/video in the aforementioned outlets shall be made by Colgate students.

Each individual entering the Colgate community as a student is required to review this policy. Should questions arise regarding Colgate's photography and video release policy due to religious and/or safety concerns, please contact the Office of University Communications at 315-228-7407.

Confidentiality Statements

Office of the Chaplains

The four chaplains offer confidential support for students, whether they are in crisis or just seeking clarification and self-understanding. The chaplains are also available for educational programs, crisis intervention, weddings, public and private memorial services, and other "life cycle" events. Students seeking assistance or information from the chaplains are encouraged to come to the office (garden level, Memorial Chapel; appointments are helpful, but not necessary) or to call 315-228-7682.

Student Health Services

Student Health Services maintains encrypted electronic medical records — they are confidential, and information from them is only released with the student's request and written permission, or as otherwise required or permitted by law. Records are kept for seven years after graduation and are then destroyed.

Counseling and Psychological Services

Counseling sessions are strictly confidential. In order to preserve student privacy, the Counseling Center adheres to state laws and ethical standards, which require that all client information be held in confidence. Except as described below, no one outside of the Health and Wellness Offices (Counseling and Psychological Services, Haven, the Shaw Wellness Institute, and Student Health Services) is given any information, even the fact that a student has had an appointment, without their consent. There are a few rare exceptions to confidentiality; the most significant include the following:

1. ***Abuse of children***: If a staff member has reason to believe that a child under the age of 18 is being abused or neglected
2. ***Imminent harm to self/others***: If a staff member has reason to believe that you are in danger of physically harming yourself or someone else

3. ***Age limitation***: If you are under 18, we cannot guarantee you confidentiality. If contacted by your parents, we may have to answer their questions with respect to your treatment
4. ***Security clearance/certification***: If you apply for state licensure or certification in some professional fields or apply for a job requiring security clearance
5. ***Third-party payment/insurance***: If you are referred for other services for which you might need insurance coverage
6. ***Court orders***: When ordered by a court of law

Our guiding principle is to respect a student's right to confidentiality. Trust is an essential aspect of effective therapy. We will exert our greatest effort to ensure the respect and confidentiality of our clients.

A student's medical records at the Counseling Center are confidential, and except as required or permitted by law, information from them is only released with the student's request and written permission.

System of University Standards and Student Conduct

University Code of Student Conduct

Students at Colgate University accept membership in an academic residential community dedicated to the pursuit of intellectual and personal growth. As a liberal arts college, Colgate seeks to provide opportunities for students, both in and outside the classroom, to develop critical thinking, integrity, judgment, a common experience of learning, and appreciation of cultural and ethnic diversity, as well as the social and ethical values necessary for community life.

Colgate expects students to conduct themselves in a manner consistent with the University's commitment to educating all of its students. The integrity of the Colgate community depends upon each member's acceptance of individual responsibility and respect for the rights of other students and with each member of the faculty and staff.

Colgate expects that its students will not lie, steal, cheat, or engage in dishonest or unlawful behavior, including behavior that damages University property, the personal property of another individual, public property, or any other behavior that inflicts physical or emotional harm on oneself, another person, or the community. In addition, students will not engage in behaviors that impede other students' opportunity to learn, or a faculty member's ability to teach, or that interferes with the academic objectives of the University. Colgate students must abide by all University policies and procedures and comply with directions of University officials acting in performance of their duties.

University policies and procedures include, but are not limited to:

- Code of Student Rights and Responsibilities
- Colgate University Academic Honor Code
- Policy on Academic Behavior
- Policy on Speech, Expression, and Assembly
- Policy on Doxing
- Policy on Hazing
- Policy on Alcohol and Drugs
- Policy on Unrecognized Organizations
- Policy on Medical Leave of Absence
- Policy on Involuntary Leave of Absence
- Policy for Student Presence on Campus While Separated from Colgate
- Policy Governing the Scheduling of Social Events With Alcohol
- Policy on Campus Solicitation and Concessions
- Policy on Use of Colgate Vehicles
- Policy on Smoking
- Policy on Advertising
- Policies Governing the Use of Information Technology Services
- Guest Policy
- Policy on Fire Safety

Student Discipline

The **System of University Standards and Student Conduct** resolves possible violations of the Code of Student Conduct by matriculated or enrolled Colgate students on or off campus. The disciplinary system seeks to educate students about both personal freedoms and the limits of belonging to and living in a diverse academic community. To this end, students play a central role in the administration of Colgate's System of University Standards and Student Conduct. Students participate in shaping the rules that govern the communities in which they live, and accept personal responsibility for upholding and enforcing the standards for student conduct as members of the academic community.

Students should be aware of the University's practice in reporting disciplinary records when such information is requested. Most typically, this takes place during the application process for an off-campus study-away experience and postgraduate programs in law and medicine. Sanctions of disciplinary probation and above are noted by the students' administrative dean to the requesting institution. In addition, students should be aware that the University cannot control the types of questions posed to it in such situations. As a result, the University must necessarily reserve the right to disclose a student's disciplinary history and any underlying context in order to accurately respond to such requests.

The disciplinary officer, appointed by the Vice President and Dean of the College, oversees the System of University Standards and Student Conduct.

The University's disciplinary system does not supersede civil or criminal court proceedings. Students on campus as well as off campus remain subject to federal, state, and local laws.

Alcohol and Other Drugs Violations

Students found responsible for violating the Alcohol and Other Drugs Policy may be required to complete educational programs and/or may face disciplinary sanctions. Ordinarily, singular violations of the alcohol and other drugs policy will result in minor disciplinary consequences and an educational opportunity to examine one's relationship with substances. However, repeated violations of the alcohol and other drugs policy, or violations that have an impact on others in the community, may result in more significant disciplinary sanctions. See the section "Procedures of the System of University Standards and Student Conduct" elsewhere in this handbook for more information.

Driving While Under the Influence of Alcohol or Other Drugs

Any student arrested for driving while intoxicated, or a student about whom the University has received information indicating that they may have operated a vehicle while under the influence of alcohol or other drugs, will be charged with a violation of this policy and have their case adjudicated through the University Student Conduct Board. A finding of responsibility by the board will result in, at minimum, a sanction of immediate suspension, ordinarily for the remainder of the term. This policy does not preclude disciplinary proceedings under the System of University Standards and Student Conduct for conduct violations involving alcohol and/or other drugs in connection with vehicle use that does not meet the definition of driving while intoxicated under New York law.

Medical Amnesty and Good Samaritan Exemptions

Colgate's Medical Amnesty and Good Samaritan Exemptions are integrated components of the System of University Standards and Student Conduct. As such, the University seeks to advance two fundamental responsibilities of students — respect and appreciation for the safety of self and others and respect and appreciation for the law and University policy. The University acknowledges that there may be times when students are unable to successfully meet the two aforementioned responsibilities and, as such, seeks to help students learn from experiences in which they were unable to uphold their responsibility and to move students toward broader understanding, appreciation, and ownership of personal accountability.

The Medical Amnesty exemption is not viewed as an avenue through which a student may escape responsibility, but rather, the means by which they will be challenged and supported to discern their responsibilities and to be accountable as members of the Colgate community. In instances when the Medical Amnesty exemption is applied, the outcome will not result in a disciplinary record should the incident be limited to a violation of the Policy on Alcohol and Drugs. Medical Amnesty will be employed only in situations where the impact is limited to the effects of personal consumption. That is, it would not be available to a student who provided alcohol to another student where both required emergency care.

In order for the Medical Amnesty process to be effective, students are expected to understand the risks of alcohol or other drug overdose and to be aware of signs that suggest an emergency response may be necessary. The goal of this program is to increase student awareness of the risks of alcohol or other drug overdose and to reduce the instances of such overdoses. Thus, for situations in which the Medical Amnesty exemption applies, students will be expected to review their case with several University officials, including the Coordinator of Alcohol and Drug Education, the University's disciplinary officer and, in some cases, the Director of Student Health Services.

Core Components of the Medical Amnesty Exemption

The Medical Amnesty exemption can only be employed when violations are limited to the Policy on Alcohol and Other Drugs.

1. There are no limitations on the number of Medical Amnesty exemptions a student may have.
2. Students who are eligible for the Medical Amnesty exemption must complete a detailed program of education with the Coordinator of Alcohol and Drug Education and comply with any further recommendations.
3. Students who fail to comply with the assigned educational requirements under Medical Amnesty will be subject to disciplinary sanctions as appropriate.
4. Students who are discovered alone by a University official, including a community leader, campus safety officer, or a local law enforcement official and who require emergency medical care as a result of their alcohol or other drug use are not eligible for the Medical Amnesty exemption.
5. Situations where emergency care is required — and for which the Medical Amnesty exemption is not available — will likely result in disciplinary sanctions.
6. Students who may be eligible for the Medical Amnesty exemption are not immune to any legal or other law enforcement actions that may result from a given situation.

Core Components of the Good Samaritan Exemption

Students or organizations who call for assistance on behalf of an individual(s) in need of medical attention due to consumption of alcohol and/or drugs, and who themselves may be in violation of the University's Policy on Alcohol and Drugs, are eligible for the Good Samaritan exemption.

1. In cases where the Good Samaritan exemption applies, the student(s) and/or organization calling for assistance will not be sanctioned for a violation of the Policy on Alcohol and Drugs.
2. There are no limitations on the number of Good Samaritan exemptions a student or organization may have.
3. If a student in need of medical attention is in a student residence, the students who occupy the room, and/or others present are expected to make a call for assistance. Similarly, for situations occurring in residential common spaces (suites, apartments, townhouses, Broad Street houses), and for locations controlled or used by an organization for organizational activities, it is expected that the community or organization will make a call for assistance. Should it be determined that a student or organization knowingly failed to call for assistance, the student or organization may be subject to disciplinary action under the System of University Standards and Student Conduct.
4. In cases where there have been other violations of campus policy (e.g., hazing, harassment, assault, vandalism), calling for assistance for an individual in need of medical attention may be considered a mitigating factor in any disciplinary process arising out of such violations (and failure to seek assistance may be considered an aggravating factor in any such disciplinary process).
5. Students or organizations who are eligible for the Good Samaritan exemption are not immune to any legal or other law enforcement actions that may result from a given situation.

Sources of Information and Help

Students with questions about alcohol or other drugs may contact the following agencies or groups for confidential information or assistance:

- ***Colgate Counseling and Psychological Services (Conant House)***: Call 315-228-7385 during regular hours; at other times, call 315-228-1000 and ask the operator for the staff member on duty.
- ***Shaw Wellness Institute***: Call 315-228-6403. A trained alcohol/substance abuse counselor is a member of the staff.
- ***Members of the Office of the Dean of the College's Staff***: Call 315-228-7426 for the name of your administrative dean. The administrative dean can assist you with an appropriate referral.
- ***Colgate Student Health Services***: 315-228-7750 during regular hours
- ***Alcoholics Anonymous***: Several weekly meetings are held on campus and in the Hamilton area. Contact Counseling and Psychological Services at 315-228-7385 for days, times, and locations, or visit the Alcoholics Anonymous website.
- ***Al-Anon***: For family members or friends of alcoholics, call Counseling and Psychological Services for information about local meetings, or visit the Al-Anon website.
- ***Adult Children of Alcoholics***: Call Counseling and Psychological Services for information about meetings on campus.
- ***Alcohol and Drug Abuse Prevention and Treatment***: Call Madison County Mental Health Department, Oneida, N.Y., 1-800-721-2327.
- ***BRIDGES, Madison County Council on Alcoholism and Substance Abuse***: 3059 Seneca Turnpike, Canastota, NY; 315-697-3947.

Procedures of the System of University Standards and Student Conduct

Overview of the Disciplinary Process

Possible violations of the University Code of Student Conduct are brought to the attention of the disciplinary officer. The disciplinary officer assesses the nature of the violation, investigates allegations, and then does one of the following:

- Dismisses the allegations based on the information available.
- Resolves the question of misconduct through alternative means, which may include but are not limited to conflict resolution, as described below.
- Convenes an administrative hearing.
- Refers the incident to the University Student Conduct Board or Non-discrimination/Title IX Procedures.

While the types of cases they hear vary, all University hearing bodies function similarly, in that they give the student or organization the opportunity to respond to the allegations, determine whether the implicated student or organization should be held responsible for the alleged violation, and, when appropriate, assess appropriate sanctions. To maintain standards of consistency and equity in the application of University standards, the disciplinary officer oversees the University Student Conduct Board. The disciplinary officer assembles the materials and information presented to the board, prepares the students subject to hearings before the board, and maintains records of every hearing.

Alleged violations of the University's Student Nondiscrimination, Anti-Harassment, and Sexual Misconduct Policy (equal opportunity, nondiscrimination, sexual harassment, and other forms of harassment) are addressed through the Non-discrimination/Title IX Procedures set forth in that policy. In addition (and to the extent set forth in the policy), the Non-discrimination/Title IX Procedures may be used to address collateral violations of the Code of Student Conduct and/or other University policies occurring as part of the same set of circumstances as a violation of that policy.

Overview of University Hearing Bodies

Most violations that could result in sanctions no more severe than probation are resolved in an Administrative Hearing with the disciplinary officer or their designee. Any violation that could result in a sanction of suspension or expulsion must be referred to the University Student Conduct Board. As such, violations of a more serious nature, including, but not limited to, cases of academic dishonesty where a student has not taken responsibility, assault, group misconduct that could result in suspension or loss of recognition, or violations by students with significant disciplinary records, will likely require a hearing before the University Student Conduct Board.

Administrative Hearing

Students will be contacted regarding a possible violation and will be required to meet with the disciplinary officer by a specified date. The disciplinary officer will then provide the student with an opportunity to respond to the alleged violation. If the student takes responsibility for the behavior, the disciplinary officer will assign a sanction accordingly. Any sanctions that could be imposed by the University Student Conduct Board (see below), other than administrative withdrawal from a course, suspension, expulsion, or revocation of degree, may be imposed in an administrative hearing. When a student admits responsibility, there is no option for an appeal of sanctions issued through an administrative hearing. When a student does not accept responsibility, or the disciplinary hearing officer determines a referral is necessary for any reason, the disciplinary officer may refer the student to another administrator to consider the finding or may also refer any matter to the University Student Conduct Board ("the Board") for adjudication. The Board will have the full range of sanctions available, including suspension or expulsion, should the student be found responsible for the behavior in question.

Academic Honor Code Administrative Hearing

If a student is contacted regarding a possible violation of the Academic Honor Code, they will be required to meet with a disciplinary officer by a specified date to discuss the allegations. At this meeting, the student will be provided with the opportunity to respond to the allegations and ask questions about the alleged Honor Code violation(s). Students will have up to three business days following the meeting with the disciplinary officer, and after a review of the faculty member's concerns, to accept or deny responsibility for the alleged violation(s). If a student has not made a decision within that period of time, the disciplinary officer will schedule a University Student Conduct Board hearing to determine responsibility and, if appropriate, assign the appropriate sanction.

Allegations of violations of the University's Academic Honor Code may be resolved through an administrative hearing only when the student accepts responsibility for the alleged violation and when both of these conditions are met: (1) has no prior findings of responsibility for violations of the honor code; and, (2) has no prior Resolution of Plagiarism Form on file.

When Academic Honor Code cases are resolved through an administrative hearing, the only sanction assigned will be the minimum sanction per University policy: a grade of F in the course and disciplinary probation through the student's tenure at Colgate. The outcome of an administrative hearing is final and not subject to appeal.

Academic Honor Code cases, in which a student does not accept responsibility, those in which the student is otherwise ineligible for resolution through an administrative hearing, or if the student prefers a review by the University Student Conduct Board, will be referred to the University Student Conduct Board for adjudication. If the University Student Conduct Board determines that the student is responsible for violations of the Academic Honor Code, they will be required to assign the minimum sanctions, per University policy, and may also assign any additional sanctions, up to and including suspension or expulsion.

University Student Conduct Board

The disciplinary officer shall refer to the University Student Conduct Board cases that require one of two types of hearing:

1. ***University Standards Hearing***: Cases involving possible violations of the Code of Student Conduct that could result in an administrative withdrawal from a class, a sanction of suspension, or expulsion; cases in which the student involved does not accept responsibility for the violation, with the understanding that the full range of sanctions — including suspension or expulsion — is available should the student be found responsible for the behavior in question; cases of academic dishonesty where a student has not taken responsibility, and cases of plagiarism in which the student involved does not agree with the faculty member's proposed penalty in a resolution form.

2. ***Organization Misconduct Hearing***: Cases involving possible violations of the Code of Student Conduct by recognized student organizations on campus, including, but not limited to, fraternities, sororities, and SGA-recognized organizations.*

   * Note: As SGA-recognized organizations, club sports teams are subject to the System of University Standards and Student Conduct, and may be referred for an Organization Misconduct Hearing or other appropriate proceedings under the System. Intercollegiate athletic teams are operated by, and exist at the discretion of, the Division of Physical Education, Recreation, and Athletics (PERA). In the event of suspected violations of Colgate University policy by an intercollegiate athletic team, the Vice President and Director of Athletics or their designee, in consultation with the Vice President and Dean of the College or their designee, may impose consequences on the team as an entity without necessity of proceedings under the System of University Standards and Student Conduct. Such action does not preclude disciplinary action against individual team members under the System of University Standards and Student Conduct.

Withdrawal While Charges Pending

A student choosing to withdraw from the University while facing disciplinary charges must have the charges resolved through this System of University Standards and Student Conduct (in addition to fulfilling any other applicable conditions) prior to readmission to the University.

The University reserves the right to not permit a student to withdraw if they have pending an investigation or charges against them for violation of the Student Nondiscrimination, Anti-Harassment, and Sexual Misconduct Policy or for charges under the Code of Student Conduct. Should a student decide to leave and not participate in the investigation and/or hearing, the University may opt to proceed *in absentia* to a reasonable resolution, and that student will not be permitted to return to Colgate unless all sanctions have been satisfied.

Withholding of Diploma

The University may withhold a student's diploma for a specified period of time and/or deny a student's participation in commencement activities if the student has disciplinary charges pending.

Action in Courts

Disciplinary proceedings may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, at the discretion of the disciplinary officer. Because of the different standards applicable in civil or criminal proceedings and University disciplinary proceedings, disciplinary action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been dismissed or reduced.

Review of Alleged Violations When College Is Not in Session (Where a Sanction Will Not Exceed Disciplinary Probation)

If a student is alleged to have committed a violation of the Code of Student Conduct near or after the end of a semester for which an administrative hearing would otherwise be appropriate, the disciplinary officer or their designee may issue a letter of resolution to the student that includes a proposed finding and sanctions based on the information then available. If the student accepts the proposed resolution, the proposed finding and sanctions will be applied. If the student prefers to review the case with the disciplinary officer or their designee, an administrative hearing will be scheduled in order to review the case. The administrative hearing, and any subsequent proceedings, will be subject to the otherwise applicable terms of this *System of University Standards and Student Conduct*.

Conduct Board Hearing When College is Not in Session

If a hearing needs to be held at or after the end of the semester and the regular University Student Conduct Board cannot be convened, the disciplinary officer may convene a special University Student Conduct Board. The membership will consist of members available at the time of the hearing with a quorum of five including at least one student, one faculty member, the disciplinary officer, and the Vice President and Dean of the College representative, with the disciplinary officer or designee acting as chair.

Conflict Resolution

Conflict resolution, including the use of restorative justice practices, is encouraged as an alternative method to address conflicts. The disciplinary officer will assess whether conflict resolution is suitable for a particular case. At their discretion, the disciplinary officer may postpone processing a complaint in a non-academic misconduct case until the involved parties have made a reasonable attempt to resolve the conflict through restorative justice or other means. If these efforts are unsuccessful, the case will proceed to an administrative hearing or a hearing before the University Student Conduct Board, as appropriate.

Interim Suspension

If, in the judgment of the disciplinary officer, the safety or well-being of the accused student or any other person(s) may be jeopardized by the presence on campus of the student or the ongoing activity of a student organization whose behavior is in question, the disciplinary officer may suspend the student or student organization pending the conduct of disciplinary proceedings. The disciplinary officer may also suspend a student or organization pending disposition of a civil or criminal court action. Conduct involving acts of violence, physical abuse, use of weapons, or behavior covered by Colgate's Policy on Speech, Expression, and Assembly, the Policy on Alcohol and Drugs, and/or the Policy on Hazing are examples of situations for which an interim suspension may be expected. In all cases in which an interim suspension is imposed, the student or student organization will be given the opportunity to meet with the disciplinary officer prior to such suspension being imposed, or as soon thereafter as is reasonably possible.

Policy on Retaliation

Colgate University strictly prohibits retaliation against any person or organization for seeking supportive measures (including No Contact Orders), good faith reporting of conduct violations, or for cooperating with, or participating in, any investigation, adjudication, or resolution of potential conduct violations (whether as a reporting party, respondent or witness).

University Hearing Bodies: Functions and Procedures

Individual Students

Administrative Hearing

Students will be contacted regarding a possible violation and will be required to meet with the disciplinary officer by a specified date where they will be provided with the opportunity to respond to the alleged violation. If the student admits to the violation, the disciplinary officer will assign a sanction. Any sanctions that could be imposed by the University Student Conduct Board (see below), other than suspension, expulsion, or revocation of degree, may be imposed in an administrative hearing. When a student admits responsibility, there is no option for an appeal of sanctions issued through an administrative hearing. When a student does not accept responsibility, or the disciplinary hearing officer determines a referral is necessary for any reason, the disciplinary officer may refer the student to another administrator to consider the finding or may also refer any matter to the University Student Conduct Board ("the Board") for adjudication. The Board will have the full range of sanctions available, including suspension or expulsion, should the student be found responsible for the behavior in question.

University Student Conduct Board

The disciplinary officer shall refer to the University Student Conduct Board cases that require one of two types of hearing:

1. University Standards Hearing
2. Organization Misconduct Hearing

The University Student Conduct Board is composed of 11 people:

- The disciplinary officer, who serves as Chair of the Board;
- Five students;
- Three members of the faculty;
- One administrator at large (not a member of the Office of the Vice President and Dean of the College); and
- One member of the Office of the Vice President and Dean of the College, appointed by the Vice President and Dean of the College (the "Vice President and Dean of the College representative").

Except as otherwise provided below, a quorum for the hearing board consists of five persons with at least one student, one faculty member, and either the disciplinary officer or the Vice President and Dean of the College representative. In the absence of a quorum, the hearing will be rescheduled.

The configuration of the hearing body for an individual case will depend upon the type of violation (see below). Faculty members are elected by the faculty, student members are appointed by the Student Senate, and administrators are appointed by the Vice President and Dean of the College. Terms for faculty and administrators (other than the disciplinary officer and the Vice President and Dean of the College representative) are three years; students serve for one year.

Students must have completed at least two terms at Colgate before they are eligible to serve on the board. Student members must be in good academic standing, and students who have been found responsible for violating the Code of Student Conduct by the University Student Conduct Board are not eligible to serve as board members.

The disciplinary officer may, with approval of the Vice President and Dean of the College, appoint one or more individuals who are not current University Student Conduct Board members to serve on the Board for a particular case, and/or may alter the quorum requirement for a particular case, when such action is determined necessary by the disciplinary officer to avoid bias or conflicts of interest, to ensure the use of a new Conduct Board when directed in a decision granting remand of a case upon appeal, or in other appropriate circumstances. Such individual(s) shall have previously served on the University Student Conduct Board or shall have otherwise received appropriate training.

No member of the board may be a practicing attorney.

The board shall meet at times determined by the disciplinary officer.

University Standards Hearing
The disciplinary officer shall refer for a University standards hearing:

1. Cases involving possible violations of the Code of Student Conduct that could result in administrative withdrawal from a course or expulsion;

2. Cases in which the student involved does not accept responsibility for the violation with the understanding that the full range of sanctions — including administrative withdrawal from a course, suspension, or expulsion— is available should the student be found responsible for the behavior in question;

3. Cases of academic dishonesty where the student has not taken responsibility for the violation, and cases of plagiarism in which the student involved does not agree with the faculty member's proposed resolution.

Configuration of the Board
The configuration of the board for a University Standards Hearing is as described above for the University Student Conduct Board.

Notification as to the Charge
At least seven (7) days prior to the hearing, or as far in advance as reasonably possible if an accelerated hearing is scheduled with the consent of the student appearing before the board, the disciplinary officer shall send a letter to the student stating the following::

1. A description of the alleged violation(s).

2. The time and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. If the student does not appear at the scheduled hearing, the hearing will be held *in absentia*. For compelling reasons, the chair may reschedule the hearing.

3. The right of the student whose behavior is in question to the assistance of an adviser at the hearing. An adviser must be chosen from among current students, faculty, staff, or administrators at Colgate University. The adviser may not be a practicing attorney, and no practicing attorney may be present in the hearing room. The student subject to the hearing may speak and respond to questions on their own behalf. The adviser may consult with the advisee but may not speak on behalf of the advisee.

4. Hearings shall be scheduled as soon as possible. Hearings for possible violations that occur near or after the end of an academic term will be held immediately after the end of the term, during the summer, as outlined in the section titled "Conduct Board Hearing When College Is Not in Session," or at the beginning of the subsequent term, at the discretion of the disciplinary officer.

As is the case with the student whose behavior is in question (see "Notification as to the Charge," number 3), the person, if any, initiating the action is also entitled to the assistance of an adviser at the hearing. An adviser must be chosen from among current students, faculty, staff, or administrators at Colgate University. The adviser may not be a practicing attorney. The adviser may consult with the advisee but may not speak on behalf of the advisee, unless they are directed to answer questions raised by the board members.

Anyone appearing at the hearing to provide information will speak and respond to questions on their own behalf.

The Hearing
Only the person(s) directly involved in the incident in question are permitted to attend the entire hearing; there will be no observers. The chair may allow other individuals who have relevant information to appear during a portion of the hearing in order to respond to specific questions from the board or the persons involved. The board does not hear character witnesses but will accept up to two letters supporting the character of the student involved. Character references will be considered in the sanctioning phase following a finding of responsibility, where appropriate.

Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in University Student Conduct Board hearings.

- Only information pertinent to the possible violation will be considered by the board; however, information about other student disciplinary actions or civil or criminal convictions may be introduced at these hearings if, in the judgment of the chair, this information bears directly on the possible violation. The chair shall have discretionary authority to determine whether the board will receive and consider particular information, and to resolve any procedural questions or disputes arising in the course of a hearing.

- Participation in a hearing via telephone, closed circuit television, video conferencing, video or audio recording, written statement, or other means may be permitted by the chair to the extent deemed appropriate in their sole discretion.
- Proceedings are strictly confidential. All persons present at any time during the hearing are expected to maintain confidentiality.
- Hearings are recorded. Conduct board members, the student whose behavior was in question, the persons, if any, who initiated the action, and appropriate administrative officers of the University shall be allowed to listen to the recording in a location determined by the disciplinary officer. If applicable, the Vice President and Dean of the College will also access the recording for the consideration of any appeal. No person will be given or be allowed to make a copy of the recording.

Decisions
The board will deliberate in closed session to determine whether a student is responsible or not responsible for the violation(s) in question. The board will base its determination on a standard of preponderance of the evidence (i.e., whether it is more likely than not that the student committed each alleged violation). If a student is found responsible by a majority of the board, the board will assess the appropriate sanction(s). The disciplinary officer will not vote to determine responsibility for a charge, but shall vote in the sanctioning phase of the hearing should the members of the board be deadlocked in their decision. The deliberations of the board will be kept in strict confidence.

The chair will forward a written decision to the student involved as soon as is reasonably possible, including, if applicable, sanctions. In cases of academic dishonesty or violations of the Policy on Academic Behavior, a copy of the board's decision will be sent to the faculty member who initiated the action.

Sanctions
Sanctions willl be determined by the administrative hearing officer in administrative hearings, or in cases reviewed by the University Student Conduct Board, a majority vote of the board. Factors considered when determining a sanction may include:

- The nature, severity of, and circumstances surrounding the violation;
- A student's disciplinary history,
- The impact of a sanction on a student,
- Previous cases involving conduct for which there was a finding of responsibility; and
- Any other information deemed relevant by the administrative hearing officer or board.

The following sanctions are intended to be educational, protective of the University community, and proportionate to the violation. They may be imposed upon students, singly or in combination:

Warning: An official written notice that the student's behavior has violated the Code of Student Conduct and that further violations of any University policy, procedure, or directive may result in more significant disciplinary action. Disciplinary warnings are not disclosed when disciplinary records are requested for either internal or external purposes.

Disciplinary Probation: A formal warning that a student's conduct is inconsistent with the expectations of the University. It is imposed for a specified period of time and indicates that any further violations during this period will likely result in more significant disciplinary action. While a student is on probation, the probationary status will be reported if the University is asked to provide a disciplinary record for either internal or external purposes. Once the probationary period has concluded, the sanction will no longer be reported externally or internally as part of the student's disciplinary record. However, a prior probationary status may be considered in determining sanctions if the student is later found responsible for a similar or related violation.

Disciplinary Probation Through Tenure: A disciplinary status that signifies a more serious level of disciplinary standing and reflects significant concern regarding a student's behavior or conduct history. It indicates that any further violations will likely result in suspension or expulsion from the University. Disciplinary probation remains in effect for the remainder of a student's enrollment. It is reported in response to any internal or external request for a disciplinary record, both during the student's time at the College and after graduation. Because this status remains in effect throughout a student's tenure, it will be taken into account in all future conduct reviews and sanctioning decisions.

Suspension: Termination of student status for a definite period of time not to exceed two years, or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Colgate.

Any student arrested for driving while intoxicated, or a student about whom the University has received information indicating that they may have operated a vehicle while under the influence of alcohol or other drugs, will be charged with a violation of this policy and have their case adjudicated through the University Student Conduct Board. A finding of responsibility by the board will result in, at minimum, a sanction of immediate suspension, ordinarily for the remainder of the term. This policy does not preclude disciplinary proceedings under the System of University Standards and Student Conduct for conduct violations involving alcohol and/or other drugs in connection with vehicle use that does not meet the definition of driving while intoxicated under New York law.

Expulsion: Permanent termination of student status with no opportunity to reapply to the University, take courses at the University, or earn credits toward a Colgate degree.

Administrative Withdrawal from a Course: Immediate withdrawal from a course with the loss of course credit, with a designation of "W" on the student's transcript, regardless of whether the deadline for course withdrawal has passed. In cases where a sanction of an administrative withdrawal from a course is imposed, the student will also be placed on disciplinary probation through tenure.

Withholding Diploma: The University may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has disciplinary charges pending, or as a sanction if the student is found responsible for an alleged violation.

Revocation of Degree: The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

Other Actions: In addition to or in place of the above sanctions, the University student conduct board or administrative hearing officer may assign any other sanctions as deemed appropriate, including, but not limited to, the following:

1. Educational referral, including but not limited to, mandated substance use evaluation.
2. Referral for counseling: a referral to Counseling and Psychological Services so the student has the opportunity to reflect on their behavior in a completely confidential setting.
3. "No contact" directive: a prohibition against having any avoidable contact with one or more identified persons, in person or through telephonic, electronic, written, or other means. A "no contact" directive may include additional restrictions and terms.
4. Apology: a requirement for the student to write a letter of apology to those involved.
5. Campus or Community Service: a requirement for unpaid service to the University or local community stated in terms of type and hours of service.
6. Restitution: a reimbursement for damage to or misappropriation of University property. Restitution between individuals must be pursued between the individuals, either informally or through civil recourse.
7. Housing-Related Sanctions
    a. Loss, revocation, or restriction of privilege (e.g., exclusion from specified locations or alteration of status in the housing lottery or other selection system) to live in University housing.
    b. Loss, revocation, or restriction of off-campus living privileges.
    c. Monetary fines

Academic Dishonesty Sanctions

In cases of academic dishonesty where a finding of responsibility has occurred, the sanctions shall be:

1. For first offenses: a failure in the course and disciplinary probation through tenure; or failure in the course and suspension for one or more semesters.
2. For second offenses: a failure in the course and suspension or expulsion.

For first offense cases in which a student has been found responsible for plagiarism but the University Student Conduct Board determines that the plagiarism does not constitute academic dishonesty, the board will refer the case back to the faculty member to complete the resolution of plagiarism form.

Appeal
In the event that the University Student Conduct Board finds a student responsible for a violation, the student has the right to appeal in writing to the Vice President and Dean of the College (or their designee) within seven (7) days after the student is notified of the decision of the board or, if the appeal is based on the discovery of new information that wasn't available at the time of the initial hearing, within seven days of that discovery (see number 2 below) but no later than thirty (30) days from the date that the student is notified of the decision. An appeal may be based only on one of the following:

1. A procedural irregularity occurred that had a material impact on the finding(s) regarding responsibility or sanctioning;

2. New information has come to light that was not reasonably available at the time of the initial hearing that likely impacted the determination regarding responsibility and the nature or severity of any sanction that may have been imposed; or

3. Any sanction imposed is disproportionate to the nature or severity of the violation(s). This is only applicable when the sanction imposed exceeds the minimum mandated sanction per University policy.

After receiving the appeal, the Vice President and Dean of the College (or their designee) may:

1. Accept the appeal and take appropriate action, which may include modifying the finding of responsibility and/or the sanction or asking the board to reconvene.

2. Deny the appeal.

While the appeal is pending, the sanctions imposed will remain in effect unless the Vice President and Dean of the College (or their designee) decides otherwise.

Additional principles governing appeals:

1. Because the Vice President and Dean of the College has not heard the evidence directly, deference will ordinarily be given to the University Student Conduct Board unless one of the three grounds for appeal listed above has been established. An appeal is not a second hearing nor is it to determine if the Student Conduct Board reached the right conclusion based on the facts presented at the hearing.

2. In the event that the Vice President and Dean of the College determines that one or more grounds for appeal have merit, they have the discretion to take action consistent with that determination. That may include, without limitation, in the case of procedural error or new information, remanding the case in whole or in part to the original hearing panel, remanding the case in whole or in part to a new hearing panel and, in the case of disproportionality of a sanction, modifying that sanction as appropriate. The Vice President and Dean of the College also has the option of increasing or modifying the sanction based on the review of the case.
3. Once an appeal of a case is concluded, no further appeals are permitted, except to the extent that the case is remanded back to the Board for further consideration or a new Board is assembled to consider the case.

Records
For the benefit of the board, records of all prior hearings will be kept by the disciplinary officer.

Refer to the **transcript notation policy** found elsewhere in this handbook.

Organizations

A student group or organization will be held collectively responsible (i.e., subject to group/organizational discipline) when it is reasonable to attribute the actions of at least some of its members to the group or organization as a whole. Among the situations in which group/organizational discipline may be imposed are the following:

- Any act or omission in violation of the Colgate University Code of Student Conduct, or University policy, that has received the explicit or implicit consent or encouragement of one or more of the group's or organization's officers;

- Any act or omission in violation of the Colgate University Code of Student Conduct, or University policy, that has been undertaken by one or more members of the group or organization as a result of the unreasonable failure of the officers to oversee the conduct of the group's or organization's membership and/or group or organizational activities;

- Any failure of the officers of the group or organization to ensure the adoption of reasonable precautions to avoid a violation of the Colgate University Code of Student Conduct, or University policy; or

- Any policy or practice of the group or organization that results in a violation of the Colgate University Code of Student Conduct, or University policy.

A group or organization found responsible in accordance with the foregoing may have sanctions imposed against it pursuant to applicable University disciplinary procedures. A group or organization will not be held responsible for its members' actions that do not fall under the conditions stated above. (October 2013)

The disciplinary action resulting from an organization misconduct hearing with respect to an organization does not preclude disciplinary action with respect to individual members of that organization.

Alleged violations of the Code of Conduct by a student organization may be resolved through an administrative hearing or by referral to the University Student Conduct Board for an Organization Misconduct Hearing.

Administrative Hearing

In the case of an administrative hearing, student representatives or officers of the organization will be required to meet with the disciplinary officer by a specified date where they will be provided with the opportunity to respond to the alleged violation. Any sanctions that could be imposed by the University Student Conduct Board (see below), other than suspension of recognition and permanent removal of recognition, may be imposed in an administrative hearing. When appropriate, the disciplinary officer can designate another member of the staff of the Vice President and Dean of the College to conduct an administrative hearing.

University Student Conduct Board: Organization Misconduct Hearing

Configuration of the Board

The board for an organization misconduct hearing is composed of the members of the University Student Conduct Board, with the following additions and specifications:

1. The addition of the Vice President and Dean of the College, who serves ex officio and does not vote;
2. The disciplinary officer acts as chair of the board.

A quorum of the hearing board consists of six persons (five board members and the Vice President and Dean of the College, who does not vote) with at least one student, one faculty member, and either the disciplinary officer or the Vice President and Dean of the College representative. In the absence of a quorum, the hearing will be rescheduled.

Notification as to the Charge

At least seven (7) days prior to the hearing, or as far in advance as reasonably possible if an accelerated hearing is scheduled with the consent of the implicated organization, the disciplinary officer shall send a letter to the organization stating the following:

1. A description of the alleged violation(s).

2. The time and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities. For compelling reasons, the disciplinary officer may adjourn the hearing.

3. The right of the students representing the organization to the assistance of an adviser at the hearing. An adviser must be chosen from among current students, faculty, and staff or administrators at Colgate University. The adviser may not be a practicing attorney, and no practicing attorney may be present in the hearing room. The students representing the organization at the hearing may speak and respond to questions on their own behalf. The adviser may consult with the advisee(s) but may not speak on behalf of the advisee(s), unless they are directed to answer questions raised by the board members.

As is the case with students representing the organization in question (see "Notification as to the Charge," number 3), the person, if any, initiating the action is also entitled to the assistance of an adviser at the hearing. An adviser must be chosen from among current students, faculty, staff, or administrators at Colgate University. The adviser may not be a practicing attorney. The adviser may consult with the advisee prior to, during, and following the hearing but may not speak on behalf of the advisee, unless they are directed to answer questions raised by the board members.

Any person(s) appearing at the hearing to provide information will speak and respond to questions on their own behalf.

The Hearing
Only the person(s) representing the organization and others directly involved in the incident(s) in question are allowed to attend the entire hearing; observers will be permitted to attend at the discretion of the disciplinary officer. The chair may allow other individuals who have relevant information to appear during a portion of the hearing in order to respond to specific questions from the board or the persons involved.

Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in organization misconduct hearings.

1. Only information pertinent to the possible violation will be considered by the board; however, information about other disciplinary actions against the organization and/or its members, and/or civil or criminal convictions, may be introduced at these hearings if, in the judgment of the chair, this information bears directly on the possible violation. The chair shall have discretionary authority to determine whether the board will receive and consider particular information, and to resolve any procedural questions or disputes that arise during the course of a hearing.

2. Participation in a hearing via telephone, video conferencing, video or audio recording, written statement, or other means may be permitted by the chair to the extent deemed appropriate in their sole discretion.

3. Proceedings are strictly confidential. All persons present at any time during the hearing are expected to keep confidential all matters discussed at the hearing; provided, however, that the person(s) representing the organization may discuss the hearing with other members of the organization.

4. Hearings are recorded. Board members, members of the organization whose behavior was in question, the persons, if any, who initiated the action, and appropriate administrative officers of the University shall be allowed to listen to the recording in a location determined by the disciplinary officer. No person will be given or be allowed to make a copy of the recording.

Decision
The board shall deliberate in closed session to determine whether an organization is responsible or not responsible for the violation(s) in question. The deliberations of the board shall be kept in strict confidence. The board shall base its determination on a standard of preponderance of the evidence (i.e., whether it is more likely than not that the organization committed each alleged violation). If an organization is found responsible by a majority of the board, the board shall recommend appropriate sanctions. These recommendations will be offered to the Vice President and Dean of the College, who serves as a non-voting member of the board.

The Vice President and Dean of the College will make the final decision and assess the appropriate sanction(s). They shall forward a written decision to the person(s) representing the organization at the hearing as soon as is reasonably possible, including, if applicable, sanctions. Notification to the person(s) representing the organization will constitute sufficient notice to the organization itself, and it is the responsibility of the person(s) representing the organization to notify the rest of its members of the decision resulting from the hearing.

Sanctions
Changes to an organization's recognition generally form the basis of sanctions. Recognition of an organization by the University grants it the right to function on campus, to receive University privileges, to enroll Colgate students as members, and to be associated with the University. An organization's prior disciplinary record, if any, shall be fully considered in the sanctioning phase. The board may use, but is not limited to, the following sanctions:

1. Full recognition with warning: The organization maintains full recognition but is warned that continued failure to meet the criteria for recognition or additional violations will result in a more serious sanction.

2. Probationary recognition: The organization is recognized by the University, but is placed on probation for a specified period of time, during which specified privileges and activities may be revoked. Probationary recognition ordinarily will be in effect for a minimum of one semester.

3. Suspended recognition: Recognition is suspended for a specified period of time during which all privileges are revoked and the organization's activities are discontinued, and in the case of a fraternity or sorority, use of the chapter house by the organization's members is prohibited.

4. Permanent withdrawal of recognition: Recognition is withdrawn permanently.

5. Other actions: Other sanctions may be assessed according to the specifics of the violation(s) and the type of organization.

Appeal
In the event that an organization is found responsible for a violation, the organization may appeal in writing to the University President within fourteen (14) days after notification or, if the appeal is based on the discovery of new information that was not available at the time of the initial hearing, within seven (7) days of the information's discovery (see number 2 below), but no later than thirty (30) days from the date of notification. An appeal may be based only on one of the following:

1. A procedural irregularity occurred that had a material impact on the finding(s) regarding responsibility or sanctioning; or

2. New information has come to light that was not reasonably available at the time of the initial hearing that likely impacted the determination regarding responsibility and the nature or severity of any sanction that may have been imposed; or

3. Any sanction imposed is disproportionate to the nature or severity of the violation(s). This is only applicable when the sanction imposed exceeds the minimum mandated sanction per University policy.

After receiving the appeal, the president may:

1. Accept the appeal and take appropriate action, which may include modifying the finding of responsibility and/or the sanction or asking the board to reconvene.

2. Deny the appeal.

While the appeal is pending, the sanctions imposed will remain in effect unless the president decides otherwise.

Records
With respect to records, the same is followed as for the University standards hearing.

Amendments
Without limiting other available procedures for amendment of this system, proposed amendments may be approved by the Student Affairs Board and referred to the University President and the Board of Trustees.

Review
This Code of Student Conduct, in part or in its entirety, shall be reviewed at least every other year under the direction of the Vice President and Dean of the College or their designee.

Appendices

Appendix A
Faculty Handbook

The *Faculty Handbook* contains information regarding governance at the University, including the Constitution of the Colgate Governance System. See **colgate.edu/handbook-faculty**

Appendix B
Student Government Constitution

The *Student Government Constitution* contains information regarding the Student Government Association (SGA) and its policies and processes. See **colgate.edu/student-government-constitution**

Appendix C
Complaints of Harassment and Discrimination

Student Discrimination and Harassment Policies

The following section provides an overview of relevant information that is applicable to all policies and procedures contained within the Non-Discrimination and Anti-Harassment, Sexual/Gender-Based Misconduct and Pregnancy and Related Conditions Policies and Procedures. The terms and principles set forth here apply, where relevant, to those policies and procedures.

I. Institutional Values

Colgate University values the social and intellectual vibrancy that occurs when students, faculty, and staff with different life experiences, viewpoints, and belief systems come together to share knowledge and foster understanding. We aim to create and maintain a Colgate community whose members can study, live, and work together in an environment characterized by equal opportunity, inclusiveness, safety, and mutual respect. To that end, these policies promote health and safety for pregnancy and related conditions as well as prohibit discrimination (including on the basis of pregnancy or related conditions), harassment (including sex-based harassment), sexual assault, sexual exploitation, domestic violence, dating violence, stalking, and related retaliation (collectively "Prohibited Conduct"). Colgate is committed to maintaining an educational environment and workplace free from Prohibited Conduct. Any and all such acts impede our educational mission and are serious violations of our community values. (See Colgate's Mission Statement and the discussion of community values in Colgate's Statement on Academic Freedom and Freedom of Expression.)

Colgate fully subscribes to all federal and state civil rights laws banning discrimination in the context of its programs and activities. These include but are not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Rehabilitation Act, the New York State Human Rights Law, and New York State Education Law Articles 129-A and 129-B. Colgate is committed not only to compliance with these laws but also to promoting a community that lives out the values these equal opportunity laws envision.

Colgate is committed to promptly responding to reports of alleged Prohibited Conduct.

II. Core Principles of Policy Oversight

The Office of Equity and Diversity is responsible for providing oversight of all aspects of these policies, including education, training, and response to reported Prohibited Conduct. Upon receiving a report, we are motivated to foster a culture where everyone can thrive and succeed. This involves addressing concerns related to Prohibited Conduct based on Protected Characteristics. In our approach, we prioritize privacy, confidentiality, and neutrality as three of our core principles.

III. Academic Freedom

Colgate is a vibrant academic environment that encourages discussion of competing ideas both inside and outside the classroom and in both formal and informal settings. Consistent with the University's policy on academic freedom, and the principles articulated by the University's Task Force on Academic Freedom and Freedom of Expression, this policy is not meant to inhibit or prohibit germane educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters. We also recognize that similar terms and language are referenced by both the Statement on Academic Freedom (Statement) and these policies. However, the application of terms (such as "offensive") is different in the context of these policies, as opposed to in the Statement. Thus, a statement or other form of expression does not constitute a violation of these policies merely because it is subjectively offensive; however, rights of academic freedom and freedom of expression are not without boundaries, and speech or other expression that rises to the level of harassment as defined by these policies is prohibited. The expression of ideas offered in the course of respectful, responsible teaching, learning, working, and academic debate are not violations of these policies.

IV. Prohibited Consensual Relationships

Colgate University employees (including both faculty and staff) need to be especially sensitive to the power/authority relation in their interactions with students. Consensual romantic, sexual, or dating relationships between University employees and students contradict both professional ethics and this policy and are prohibited by Colgate. Consensual relationships that begin prior to the date on which the involved parties become student and employee are not prohibited by this policy, but the employee is required to report the existing relationship to their supervisor as of the date the parties are simultaneously enrolled and employed by the University. In such circumstances the University reserves the right to take such actions as may be necessary to address any resulting conflict of interest (for example, ensuring that the employee does not have responsibility for evaluating work submitted by the student for academic credit).

V. Authority and Oversight

A. Delegation and External Resources

Any person assigned a role pursuant to the following policies and procedures may delegate their authority, or the Title VI Coordinator, Associate Provost for Equity and Diversity, or Title IX Coordinator may require reassignment of such authority, to another appropriate person to avoid bias or conflicts of interest, or in other circumstances, as they deem necessary or appropriate. In addition, to the extent permitted by applicable law (including Title IX and New York Education Law Article 129-B, where applicable), other appropriately trained personnel may oversee cases for reasons including, but not limited to, the need to facilitate efficient and timely administration of such cases. The University may also utilize appropriately trained external individuals for any role under these policies and procedures as it may deem necessary or appropriate, and reserves the right to consult with legal counsel at any stage of the processes as it deems necessary or appropriate.

B. Coordination with Other Policies and Procedures

A particular situation may potentially implicate one or more University policies or processes. The University reserves the right to determine the most applicable policy or process and to utilize that policy or process. Without limiting the foregoing, if determined appropriate by the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity, the processes described in these policies and procedures may be used to respond to, investigate, and adjudicate conduct alleged to violate the University Code of Student Conduct and/or applicable personnel policies if the alleged conduct is related to or arises out of the same facts, circumstances, or incidents as alleged Prohibited Conduct.

Subject to the foregoing, reported conduct that is not within the scope of these policies may constitute a potential violation of the University's Code of Student Conduct or personnel policies (including but not limited to those set forth in the Employee or Faculty Handbooks) and, if so, will be referred to the appropriate University officials for response pursuant to the applicable policies and procedures.

1. Discrimination and Harassment Team

   In the event a particular situation may be covered by one or more policies, the Discrimination and Harassment Team (DHT) has the authority to determine the policy that will be applied. This team shall include: the Vice President for Equity and Inclusion, Title IX Coordinator, the Associate Provost for Equity and Diversity, the Title VI Coordinator, and the Vice President for Administration. However, the Title IX Coordinator and Vice President for Equity and Inclusion have the authority to determine the policy that will be applied in any case involving or potentially involving Title IX.

C. Discretionary Authority; Change in Applicable Law

The Title IX Coordinator, Title VI Coordinator, and Associate Provost for Equity and Diversity shall have discretionary authority to interpret these policies and procedures, and to determine the meaning of any disputed or uncertain provisions; or make minor modifications to procedures that do not materially jeopardize the fairness owed to any party. The Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity may also vary procedures materially (to be reflected on the University website, with the appropriate effective date identified) upon determining that changes to law or regulation, or interpretations thereof, require policy or procedural alterations.

D. Complaints Against Non-Community Members

A Complaint against an Affiliated Individual or a non-community member for violation of the Non-Discrimination and Anti-Harassment, Sexual/Gender-Based Misconduct, or Pregnancy or Related Condition Policies will be handled and addressed as the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity deem(s) appropriate. However, in all such cases, the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity will ensure that the matter is appropriately investigated to the extent warranted by the circumstances, and that appropriate responsive action is taken, up to and including banning the individual from Colgate property if warranted.

E. Oversight

The person responsible for the implementation of this policy internally is:
Renee Madison
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

VI. Campus Crime Statistics

Colgate University is committed to providing a safe, supportive, and secure environment for the entire University community, including visitors. The University will provide, upon request, all campus crime statistics as reported to the United States Department of Education and as required under the Clery Act. To obtain a copy, contact campus safety (315-228-7333). You may also view crime statistics for all colleges and universities at the United States Department of Education's website, and may view the University's Annual Security and Fire Safety Report (which contains the University's crime statistics, crime reporting policies, prevention and awareness programs, services for victims, policies and procedures related to timely warnings and emergency notifications, as well as other information related to the safety and security of the Colgate community) on the University website.

VII. Key Terms

In addition to terms defined elsewhere in these policies and procedures, the following terms have the meanings set forth:

A. The term Complainant refers to the person who is reported to have experienced or been subjected to Prohibited Conduct. In some cases, the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity may initiate the investigation and adjudication process pursuant to these policies and procedures on behalf of the University. In that instance, the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity is/are not the "Complainant"; the Complainant remains the person who allegedly experienced the Prohibited Conduct. The University can initiate the Complaint, but the University (or University representative) does not have the rights of a Complainant as generally set forth in these policies and procedures.

B. The term Reporting Party or Reporting Individual refers to a person who reports alleged Prohibited Conduct. This may or may not be the same as the Complainant, and may be a witness, a bystander, or someone else with information about the alleged Prohibited Conduct.

C. The term Respondent refers to the student, student organization, Affiliated Individual (see term below), or employee alleged to have committed misconduct.

D. The term Reasonable Person is a standard applied from the perspective of an objective individual in similar circumstances.

E. The term Complaint is a written and signed request to the University by a Complainant alleging Prohibited Conduct and requesting that the University investigate the allegations. A Complaint may be filed in person, by mail, or electronically. In certain circumstances, the Title IX Coordinator may submit a Complaint as described in the Sexual/Gender-Based Misconduct Policy.

F. The term Confidential Employee is an individual designated by the University who is trained and/or is legally or professionally certified in their role as a Confidential Employee. It also includes employees who have been designated as privileged, such as clergy and mental health counselors, as well as employees who are conducting Institutional Review Board-approved human-subjects research that study sex-based discrimination.

G. The term Mandated Reporter is an employee who is required to report any and all instances of Prohibited Conduct that fall under the Sexual/Gender-Based Misconduct Policy.

H. The term Affiliated Individual is a volunteer, contractor, subcontractor, vendor, consultant, intern, or other person who provides services in the University's workplace and is not a University employee.

VIII. Prohibited Conduct Response Group (PCRG)

The Colgate University Prohibited Conduct Response Group (PCRG) consists of members of the campus community dedicated to prevention of and response to Prohibited Conduct, including prevention of and response to discrimination or harassment based upon race, color, pregnancy, religion, creed, national origin (including ancestry), citizenship status, physical or mental disability, age, marital status, veteran or military status (including special disabled veteran, Vietnam-era veteran, or recently separated veteran), predisposing genetic characteristics, sex, sexual orientation, gender identity, gender expression, or domestic violence victim status.

A. Roles and Responsibilities

- To serve as a first point of contact and provide information and resources to a Reporting Individual, Complainant, or Respondent;
- To serve in a facilitation role in informal resolution;
- To investigate complaints, when appropriate;
- To act as advisors to those involved in formal processes;
- To serve on hearing panels to adjudicate allegations of Prohibited Conduct;
- To serve on appellate panels, and,
- To serve in an educational role for the community.

B. Membership and Training

The PCRG membership includes faculty and staff drawn from across the institution. The President appoints the members, who report to the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity. PCRG members receive annual training, which will include a review of Colgate policies and procedures so that they are able to provide accurate information to members of the community. All PCRG members are required to attend this annual training, which includes issues related to harassment or discrimination on the basis of the Protected Characteristics, impartiality, and the rights of Complainants and Respondents (including the right to a presumption that the Respondent is "not responsible" unless and until a finding of responsibility is made pursuant to these policies and procedures), as well as how to conduct a fair and impartial investigation and a hearing process that protects the safety of all parties and promotes accountability. All administrative deans, residential-life on-call staff, and campus safety officers also undergo training with the PCRG regardless of whether they are formally appointed to the PCRG. Additional advanced training in investigation protocol, the conduct of adjudication hearings, informal resolution processes, and appellate processes is provided annually to subsets of the PCRG members who serve in these roles.

PCRG members are usually appointed to three-year terms. Individuals who are interested in serving on the PCRG are encouraged to contact the Title IX Coordinator, Title VI Coordinator, and/or the Associate Provost for Equity and Diversity.

IX. Student Amnesty

The health and safety of every student at Colgate is of utmost importance. Colgate 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. The University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to University officials. A bystander or a Reporting Individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to University officials or law enforcement will not be subject to Colgate's Code of Student 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.

The University will also extend amnesty on the same basis for other minor violations of policy in the same circumstances, and for violation of alcohol and/or drug use policies or other minor policy violations occurring at or near the time of other Prohibited Conduct. Minor policy violations do not include more serious allegations such as physical abuse, hazing, unlawful sale or distribution of drugs, or other conduct that would typically result in a sanction of suspension or expulsion if the student is found responsible.

Student Non-Discrimination and Anti-Harassment Policy

The University prohibits discrimination or harassment based on characteristics protected by applicable law, including age, citizenship status, color, creed, domestic violence victim status, marital status, national origin (including ancestry), physical or mental disability, predisposing genetic characteristics, race, religion, veteran or military status, or any other protected category under applicable local, state, or federal law (collectively, "Protected Characteristics").

I. Who Does This Policy Apply To?

This policy sets forth behavioral expectations for all Colgate University students and student organizations. This policy applies to conduct that occurs on Colgate's campus or property and in any Colgate programs and sponsored activities. This policy applies to off-campus conduct under certain circumstances. For example, certain aspects of the policy apply when students travel off campus as part of a University activity or team. Conduct that occurs off campus and not in connection with Colgate programs or activities may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus or within a Colgate program or activity, or if the incident causes concern for the safety or security of Colgate's campus or otherwise has a reasonable nexus to the University or its interests.

A complaint against an Affiliated Individual or non-community member for violation of this policy will be handled and addressed as the Title VI Coordinator or the Associate Provost for Equity and Diversity deems appropriate to ensure that appropriate responsive action is taken.

II. Who Provides Oversight of This Policy?

The person responsible for the implementation of this policy is:
Title VI Coordinator
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries may be made to:
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries and complaints against the University may also be made externally to:
Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: 800-421-3481
Facsimile #: 202-453-6012
TDD#: 800-877-8339
E-mail: OCR@ed.gov
Web: **http://www.ed.gov/ocr**

III. What Conduct Is Prohibited? (Definitions)

The following describes conduct prohibited by this Policy (referred to in this Policy and its associated procedures as "Prohibited Conduct"):

A. Non-Discrimination and Anti-Harassment Violations

1. **Discrimination** — The term "discrimination" refers to an act that disadvantages a person and that occurs because of the affected individual's Protected Characteristics. Examples of discrimination include but are not limited to excluding a student from membership in an organization, or denying a student a professional opportunity because of the student's Protected Characteristic.

2. **Harassment** — Harassment is offensive conduct based on an individual's Protected Characteristics that is so severe or pervasive that it unreasonably interferes with an individual's ability to participate in the University's programs or activities when judged against a Reasonable Person standard. Prohibited harassment based on sex, gender, gender identity, gender expression, pregnancy or pregnancy-related conditions, and other forms of sexual misconduct, are defined and referenced in the Student Sexual/Gender-Based Misconduct Policy.

   Harassing conduct can occur in various forms, including:

   - Verbal – Conduct such as unwelcome, demeaning, intimidating, or graphic comments; using ethnic, racial, religious, or other slurs to refer to a person or group; or jokes or comments that demean a person or a group on the basis of one of the Protected Characteristics.
   - Physical – Conduct such as physical threats toward or intimidation of another on the basis of one of the Protected Characteristics.
   - Visual – Conduct such as creating or displaying racially, ethnically, or religiously offensive pictures, symbols, flags, cartoons, or graffiti that disparages another person or group because of one of the Protected Characteristics.
   - Communication-based – Conduct such as phone calls, e-mails, text messages, social media direct messages, chats, blogs, or online communications that demean or intimidate another on the basis of one of the Protected Characteristics. Members of the community are expected to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome messaging, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of, or group within, the University community.

   These various forms constitute Prohibited Conduct when they rise to the standard of harassment set forth above.

   A single instance of unwelcome or offensive conduct or the fact that a person was personally offended by a communication or incident, does not alone necessarily constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances, including but not limited to the context of the conduct, the relationship of the individuals involved in the conduct, whether the conduct was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the conduct, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and/or the learning community. In all instances, a key factor is whether the complained-of behavior occurred because of Protected Characteristics. However, even if the conduct is not based upon a Protected Characteristic and/or does not rise to the level of Prohibited Conduct under this policy, the University may respond by providing individual and community support and resources to those who have been impacted. In addition, such conduct that is not based on Protected Characteristics may constitute a violation of the University's Code of Student Conduct and, if so, will be addressed pursuant to the applicable policies.

3. **Stalking** — Stalking is engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to fear for their safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition, (i) a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property and (ii) "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Examples of behavior that may constitute stalking include repeated, intentional following, observing or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, and frightening communications by phone, mail, email, text, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

4. **Hate Crime** — A "hate crime" is defined as violence towards or other criminal act(s) against a person, group, or property (or a threat to do so) that is motivated entirely or in part by a belief, perception, or hostility toward another's Protected Characteristics, regardless of whether the belief or perception is correct. Proof of a Protected Characteristic, in and of itself, does not constitute evidence of motivation.

   The following example demonstrates the difference between a non-hate crime and a hate crime: A student who selects a car at random in a campus parking lot and smashes the windshield has committed criminal mischief. A student who is biased against Muslims and smashes a windshield because they know that the car belongs to a Muslim student has likewise committed criminal mischief. However, this second incident is also a hate crime because the student was motivated by anti-Muslim bias.

   Federal and state laws prohibit hate crimes, and hate crimes often result in enhanced criminal penalties. Students who commit hate crimes are subject to criminal prosecution in addition to discipline pursuant to this policy. The criminal process is separate and distinct from this policy. The fact that a criminal complaint has been filed, prosecuted, or dismissed will not prevent Colgate from pursuing disciplinary action.

5. **Retaliation** — Retaliation is an adverse act or behavior perpetrated to "get back" at a person because the person reported misconduct, filed a Complaint, or participated or refused to participate as a Complainant, Respondent, or witness in an investigation or proceeding conducted in response to reported violation of this policy by the University or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats, or intimidation that would discourage a Reasonable Person from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

IV. Who Is Required to Report Prohibited Conduct to the Title VI Coordinator or the Associate Provost for Equity and Diversity?

All members of Colgate's community are expected to promote an environment free from discrimination or harassment. Colgate encourages any individual to report incidents of Prohibited Conduct to obtain support and information and to enable Colgate to respond appropriately. Individuals can report concerns about Prohibited Conduct to any member of the Discrimination and Harassment Team.

A. Reporting Requirement of Faculty and Staff

Supervisors must report any complaints or suspected acts of Prohibited Conduct by or affecting employees (even if they do not involve direct reports). The Title VI Coordinator or the Associate Provost for Equity and Diversity are responsible for providing direction to employees and supervisors about any University-required supportive measures, such as, but not limited to, addressing issues directly with staff, faculty, or students whom they supervise, facilitating informal resolution or mediation of issues, providing information on avenues to address questions of Prohibited Conduct, or pursuing Complaints under the complaint procedures described here. Failure to report Prohibited Conduct in accordance with this section may be considered a violation of University policy.

All other employees, unless their status is designated as a Confidential Employee precludes this disclosure, who learn of an incident of Prohibited Conduct as defined in this policy, are encouraged to report potential acts of Prohibited Conduct to the Title VI Coordinator or Associate Provost for Equity and Diversity.

B. Public Awareness/Advocacy Events

If a member of the Colgate community discloses actions believed to constitute Prohibited Conduct through a public awareness event such as a candlelight vigil, a protest, a student organization or other event or forum, or other public event, Colgate is not obligated to begin an investigation. Colgate may, however, use the information to inform the need for additional education and prevention efforts.

V. What if I Need Accommodations or Adjustments for My Disability in This Policy and Related Procedures?

General disability accommodation or adjustment requests are handled separately from this policy. The Executive Director of Student Disability Services is responsible for coordinating efforts to comply with these disability laws, including evaluation of student accommodation requests for academic and housing adjustments. Procedures for requesting these types of accommodations or adjustments are described in the student handbook.

Student requests for accommodations or adjustments while engaging in processes contemplated by the Student Non-Discrimination and Anti-Harassment Policy and/or Procedures should be directed to the Title VI Coordinator or Associate Provost for Equity and Diversity. The Title VI Coordinator or Associate Provost for Equity and Diversity may consult with the Office of Disability Services in the determination of a disability accommodation or adjustment request.

Complaints regarding disability-related discrimination or harassment should be directed to the Title VI Coordinator or Associate Provost for Equity and Diversity.

VI. What if I Need Modification for My Pregnancy or Related Condition?

The Title IX Coordinator is responsible for coordinating efforts to comply with laws governing pregnancy or related conditions. Student requests for modification should be directed to the Title IX Coordinator. For more detail please see the Pregnancy or Related Conditions Policy.

Student Non-Discrimination and Anti-Harassment Procedures

I. Procedural Summary

These procedures provide options to resolve concerns or reports made that allege Prohibited Conduct within the scope of the Student Non-Discrimination and Anti-Harassment Policy.

Following the receipt of a reported concern or Complaint, the Title VI Coordinator or the Associate Provost for Equity and Diversity will send an outreach email to offer to meet with the Reporting Party and provide them with resources and offer assistance.

Meeting with the Title VI Coordinator or the Associate Provost for Equity and Diversity can include a discussion of supportive measures. Supportive measures are intended to provide resources and/or adjustments to an individual who experienced Prohibited Conduct in order to assist with their continued involvement in the University's programs and activities. These supportive measures may include no-contact orders, or academic, residential or work adjustments. An individual may reach out to a Confidential Employee and decide at that time or a later time to report to the University.

The following procedures are available to Complainants following the assessment of the Complaint/intake, if the matter falls within the scope of the Student Non-Discrimination and Anti-Harassment Policy. There may be times that additional fact gathering may occur prior to an investigation. Once there is sufficient information to identify the allegations, the following procedures may be available to the Complainant:

- *Informal Resolution*: A process that permits the parties (i.e., the Complainant and the Respondent) to agree to the terms of resolving the situation (including the Complaint, if applicable), with the approval of the Director for Diversity and Equity or the Associate Provost for Equity and Diversity. Not all incidents are appropriate for informal resolution, and no party may be forced to participate in or accept informal resolution. This is a process that requires voluntary participation by the parties and approval by the aforementioned University official(s).
- *Administrative Resolution*: A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by the Title VI Coordinator or the Associate Provost for Equity and Diversity.
- *Formal Resolution*: A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by a hearing panel.

If an incident involves criminal conduct, the victim may make a complaint to law enforcement. An individual may report to the University and also make a report to law enforcement, may make a report to only the University or only to law enforcement, or may report to neither the University nor law enforcement.

II. Supportive Resources

A. Where to Get Confidential Support

A Confidential Employee is an individual designated by the University who is not required to report the identity of an individual sharing specific details or information about behavior or incidents that could be considered Prohibited Conduct. A disclosure to a Confidential Employee or office does not result in a University investigation or any other action to respond to the incident. To speak to a Confidential Employee, students should contact:

- Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call Campus Safety at 315-228-7333 and ask to speak with the counselor on-call.
- Student Health Services, 140 Broad Street, 315-228-7750.
- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.

When an individual shares information with a Confidential Employee (on campus or in the community) as a confidential communication in the course of a protected relationship, the Confidential Employee cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission or unless permitted or required consistent with ethical or legal obligations (e.g. when an individual poses a threat to self or others). Similarly, medical and counseling records cannot be released without the individual's written permission or unless permitted or required consistent with ethical or legal obligations.

On-campus Confidential Employees submit non-personally identifying information about Clery-reportable crimes to Colgate Campus Safety for purposes of anonymous statistical reporting under the Clery Act.

B. Non–Confidential Resources

There are other Colgate personnel, not considered Confidential Employees, who can offer resources and support to students. These sources are not confidential and, if they learn of Prohibited Conduct, may be required to report information that could be Prohibited Conduct to a member of the Discrimination and Harassment team.

III. Reporting Options

Individuals can report Prohibited Conduct to the Title VI Coordinator, the Associate Provost for Equity and Diversity, other members of the Office of Equity and Diversity, or to any of the following:

- Online Reporting Forms: You may also use one of Colgate's **online reporting forms**. The forms provide the option for you to report anonymously or non-anonymously. Providing anonymous information may help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or person; and alert the campus community to potential dangers when appropriate. Depending on the amount of information available in the anonymous report, however, the University's ability to respond with an investigation or disciplinary action may be limited.
- The Office of Equity and Diversity by going to Lathrop 102, or by telephone at 315-228-6161.
- **Any Prohibited Conduct Response Group (PCRG) member**

- **Any Discrimination and Harassment Team (DHT) member**
- Campus Safety (315-228-7333), who can assist with filing a Complaint and preserving evidence.
- Law Enforcement: The Hamilton Police Department (315-824-3311, or 911 in an emergency), who can assist in filing a criminal complaint and preserving evidence.

Additionally, orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, and call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document.

There is no time limit for making a report. However, the passage of time may make effective responsive action difficult. Further, if the Respondent is no longer a member of the University community, the University's ability to respond may be limited. Individuals with a concern are encouraged to make a report promptly.

You may also contact the Title VI Coordinator, the Associate Provost for Equity and Diversity, a Discrimination and Harassment Team member, or a PCRG member to discuss how Colgate's investigatory and grievance processes work. You need not disclose information about a specific incident in order to obtain general information about University policies and procedures.

A third party or anyone other than the Complainant may report an incident as described above, but the person who allegedly experienced Prohibited Conduct is the Complainant for purposes of these procedures.

IV. Supportive Measures

Supportive measures are accessed by request to the Office of Equity and Diversity. These supportive measures, which may be available regardless of whether a Complaint is made, are intended to protect the safety and well-being of members of the campus community and are not indicative of findings of responsibility. Supportive measures may include but are not limited to:

- No-Contact Orders
- Academic Adjustments
- Housing Adjustments
- Work Adjustments
- Counseling Referrals
- Transportation
- Escort around campus

To learn more about any of these or other available supportive measures, please contact the Title VI Coordinator or the Associate Provost for Equity and Diversity, who are responsible for approving and coordinating the implementation of supportive measures.

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed by submitting a written request to the Vice President for Equity and Inclusion to assess whether the supportive measure is reasonable under the circumstances. In addition, an individual may also seek a prompt review of the need for and/or terms of any supportive measure that directly affects said individual, by submitting a written request for review to the Vice President for Equity and Inclusion providing the basis for that request and any evidence in support. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measure under review affects that party.

V. Emergency Removal

When a student accused of Prohibited Conduct is determined to be an immediate threat to the physical health or physical safety of any student or other individual arising from the allegations of Prohibited Conduct, the University may undertake an emergency removal of the student from some or all University programs or activities pending the outcome of any proceedings under these procedures. Prior to effectuating an emergency removal of a student, the University will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the health or safety of any student, including the Respondent, or other individual justifies removal, then the Respondent will be removed.

Both the Complainant and the Respondent will, upon written request, be afforded an opportunity for a review of the need for and/or terms of an emergency removal, including potential modification. Parties desiring such a review should submit a written request to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. The burden of proof is on the party submitting the request to show that the removal decision was incorrect. The emergency removal will remain in effect while the request is considered.

VI. Initial Intake/Complaint

Upon receipt of information about a concern regarding Prohibited Conduct, an intake meeting is scheduled with the Title VI Coordinator or Associate Provost for Equity and Diversity to gather more information, allow the Complainant to submit a Complaint (if desired and not previously submitted) and understand the wishes of the Complainant.

A Complaint should include details of the alleged Prohibited Conduct including, if known:

- The identity of individual(s) who were present at the time of the incident(s), including any witnesses;
- What occurred;
- Where the incident(s) occurred; and
- Date(s) and time(s) the incident(s) occurred.

An initial determination is made by the Title VI Coordinator or Associate Provost for Equity and Diversity as to whether the reported incident(s) may constitute Prohibited Conduct under this Policy and/or whether informal resolution might be appropriate. If the Complaint does not appear to allege Prohibited Conduct or if informal resolution is agreed to by the involved parties and appears appropriate given the nature of the alleged behavior, then the Complaint does not proceed to investigation.

If a Complainant requests that no action be taken against the Respondent (i.e., no investigation or disciplinary action), the University's decision as to responsive action will depend on factors including, but not limited to, the nature of the offense, whether the Respondent has a history of violent behavior or is a repeat offender, whether the incident represents alleged escalation in unlawful conduct from previously noted behavior, the risk that the Respondent will commit future acts of violence, whether there was a single perpetrator or multiple, whether the Respondent allegedly used a weapon or force, whether the Complainant or Reporting Individual is a minor, whether available information reveals a pattern of perpetration at a given location or by a particular group or organization, whether the circumstances otherwise suggest an ongoing or future risk to the campus community or the Complainant or Reporting Individual, impact upon the University community, and similar considerations. In some circumstances the University may pursue an investigation and adjudication without a Complainant or Reporting Individual requesting the action. A decision will be made and shared with the Complainant or Reporting Individual. Ultimately, the University retains the right to act upon information that interferes with the University's obligation to maintain a safe and non-discriminatory environment for all community members and/or comply with applicable law.

In cases where the Complainant or Reporting Individual requests confidentiality or anonymity, and the circumstances allow the University to honor that request, the University will offer supportive measures and remedies to the Complainant or Reporting Individual and the community as warranted, but will not otherwise pursue formal action.

The University may temporarily withhold a student's degree and/or diploma if the student is the subject of a pending Complaint or investigation, or has disciplinary charges pending.

VII. Informal Resolution

An informal resolution is a process in which the parties are assisted in resolving the allegations made by a Complainant without a formal investigation and adjudication. Types of informal processes include, but are not limited to, educational conversations, training, mediated conversations, and restorative justice practices. The Title VI Coordinator or Associate Provost for Equity and Diversity will offer informal resolution processes to the parties if the Title VI Coordinator or Associate Provost for Equity and Diversity believes an informal resolution may be appropriate.

A. Informal Resolution Process

An informal resolution process is a voluntary process in which a trained facilitator assists the parties in resolving the allegations made by a Complainant, or the parties otherwise agree to resolution. A Complaint is not necessary to initiate an informal resolution process. The informal resolution process could be educational, mutually agreed-upon terms or a restorative process that provides an opportunity to the parties to understand each other's concerns and address them as productively as possible, with the assistance of the facilitator.

The informal resolution process is not available in a situation involving more than two parties unless (a) all parties voluntarily consent to use the informal resolution process, (b) there is an understanding among all parties about what happens when the right of any party to stop the informal resolution process and commence (or return to) the formal resolution process is invoked, and (c) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution.

No party should feel intimidated, coerced, or threatened to participate in an informal resolution process, and the Title VI Coordinator or Associate Provost for Equity and Diversity will not authorize use of the informal resolution process where there is reason to believe that a party's consent to use the process is not truly voluntary.

The informal resolution process may also be used if the Respondent wishes to accept responsibility for all or part of the alleged policy violations, and the Complainant is in agreement. If the Respondent indicates an intent to accept responsibility for all or part of the alleged misconduct, the investigation and adjudication process will be paused, and the Title VI Coordinator or Associate Provost for Equity and Diversity will determine whether informal resolution can be used according to the criteria above. If so, the informal resolution process will be used to determine whether all parties and the University are able to agree on a resolution and/or supportive measures. This result is not subject to appeal once all parties indicate their written agreement to all terms of the resolution.

Supportive measures are available to both parties during informal resolution. Attorneys are not permitted for the Student Non-Discrimination and Anti-Harassment Procedures, including for purposes of informal resolution.

B. Role of the Facilitator

Not all informal resolutions will involve a facilitator. When they do, the facilitator's role is to conduct the informal resolution process in a way that is impartial and does not favor one party over the other(s).

If the facilitator believes at any point in the informal resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, or should a conflict with the facilitator arise, either another facilitator will be appointed or the University will require that the informal resolution process be discontinued and the matter may be addressed through the formal resolution process.

C. Support Person

Each party may have a support person accompanying them to any informal resolution meeting. A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the informal resolution process; this can be a friend, relative, a PCRG member, or any other person that the party trusts, with the exception of an attorney. Support people cannot be an individual who has been involved in the facts and circumstances of the allegation(s) in any way.

A party must inform the Title VI Coordinator or Associate Provost for Equity and Diversity in advance if they would like a support person to attend any meeting and the name of the support person and that person's relationship to the party. The facilitator and/or the Title VI Coordinator or Associate Provost for Equity and Diversity will check with the other party to confirm that such party agrees to continue with the informal resolution with the support person present. The facilitator and/or the Title VI Coordinator or Associate Provost for Equity and Diversity can also exclude a support person if their presence is disruptive during the informal resolution process.

Support can be provided in several ways. Support people do not necessarily have to be present in an informal resolution session; if preferred, they can be available in a nearby area and provide support during breaks.

D. Confidentiality

For the informal resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from the parties solely during the informal resolution process will be kept confidential by the facilitator, with limited exceptions, but the facilitator may share information as necessary, to enable the oversight of the process in accordance with these procedures.

In addition, the facilitator will not be available as a witness in any formal resolution process that may occur should a party or the University terminate the informal resolution process before a resolution. This is in keeping with the concept that the facilitator is impartial and is only facilitating the interaction between the parties.

Should the matter proceed or be returned to the formal resolution process, the parties and any support person may not disclose information shared by the other party solely during the informal resolution process in the formal resolution process. All parties participating in the informal resolution process must sign an agreement that provides that information revealed by a party solely in the informal resolution process will not be used against the other party in the formal resolution process. This protection does not apply to information that is learned outside the informal resolution process, through the investigation or otherwise.

E. Possible Outcomes of an Informal Resolution Process

A resolution is reached only if all parties agree and if the resolution is accepted by the Title VI Coordinator or Associate Provost for Equity and Diversity. The facilitator (if applicable) will not impose an outcome, although they may assist the parties in suggesting resolutions that appear to meet the parties' needs. If there is no agreement on a resolution, the matter may proceed (or be returned) to the investigation and resolution process outlined in these procedures.

The University imposes no restrictions on the possible outcomes reflected in a resolution so that the parties are free to fashion a resolution that meets their needs, subject to acceptance by the Title VI Coordinator or Associate Provost for Equity and Diversity. For example, the parties may agree upon an educational conversation, prohibitions on co-enrollment or registration priorities for classes, boundaries for participation in campus activities, and/or restrictions on contact between or among the parties, among other terms of an informal resolution.

The facilitator (or, if a facilitator is not used, the Title VI Coordinator or Associate Provost for Equity and Diversity) will draft a document reflecting the agreement between the parties that becomes final once it is signed by all parties and accepted by the Title VI Coordinator or Associate Provost for Equity and Diversity. This written and signed resolution indicates that the matter has been resolved under this process without the need to pursue the formal resolution process.

After a written resolution has been finalized, the University will keep a record of the parties' written consent to the informal resolution process and the written resolution. Results of an informal resolution are not appealable.

F. What Happens if the Informal Resolution Process Does Not Result in an Agreed-Upon Resolution

The informal resolution process should proceed with due promptness. The University imposes no specified timeframe for the process, but the facilitator, Title VI Coordinator, or Associate Provost for Equity and Diversity may choose to terminate the informal resolution process (and either party may elect to terminate the process) if insufficient progress is being made.

If an informal resolution process does not result in an agreed-upon resolution, the formal resolution process may commence or resume.

VIII. Formal Process

A. Notice of Allegations

When a determination has been made that an investigation or substantive fact gathering will commence, the parties will receive notice of the allegations, in advance of any interview or other meeting they are required or entitled to attend. This notice will include:

1. to the extent known, the identities of the involved parties and the date, time, location, and factual allegations concerning the alleged violation;

2. the policy provisions allegedly violated; a description of the investigation and adjudication process;

3. the right to an advisor, who must be a member of the campus community and may not be a practicing attorney, to assist and accompany the party throughout the process, including during all meetings and hearings related to the process;

4. notice that knowingly making false statements or knowingly submitting false information is prohibited under University policy;

5. consistent with the preponderance of the evidence standard used to determine responsibility, notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process; and

6. a statement about the University's policy on retaliation.

If, in the course of the investigation, the University decides to investigate allegations that are not included in the notice initially provided to the parties, the Title VI Coordinator or Associate Provost for Equity and Diversity will provide notice of the additional allegations to the parties.

The Complainant and Respondent will be provided with notice of the name of the appointed investigator(s) and an opportunity of not more than three business days after the notice to raise an objection to the investigator(s) based on any alleged bias or conflict of interest known to the party. If an objection is raised, the Title VI Coordinator or Associate Provost for Equity and Diversity will determine whether bias or conflict of interest in fact exists and necessitates the replacement of the investigator(s).

Attorneys are not permitted for the Student Non-Discrimination and Anti-Harassment Procedures.

The Office of the Registrar will be notified and a notation, "conduct process pending," will be placed on any Respondent's transcript, pending the outcome of the formal process, noting that allegations of Prohibited Conduct have been made. This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

B. Investigation Scope and Timeline

The University will seek to complete investigation and adjudication of Complaints within one-hundred and twenty (120) business days when reasonably possible, but delays may occur when (among other things) the University is not in session. The University may, but shall not be obligated to, delay the institution of its processes when criminal charges on the basis of the same behaviors that invoke this process are being investigated; such delays will not last more than ten (10) calendar days except when law enforcement authorities specifically request and justify a longer delay. Both parties will be provided with written notice of any extension of the investigation and adjudication process beyond one-hundred and twenty (120) business days, and of the reason for the delay. University action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

The Title VI Coordinator or Associate Provost for Equity and Diversity may determine that cases where the allegations arise out of the same set of facts or circumstances should be consolidated for purposes of investigation and/or adjudication. Instances where consolidation of Complaints may occur include but are not limited to cross-Complaints by the parties against each other, multiple Complaints by a single Complainant against a Respondent, Complaints by multiple Complainants against one or more Respondents, or multiple Complaints by a single Complainant against multiple Respondents.

1. **Participation in an Investigation Process**
   During the investigation, which is an impartial fact-finding process, the Complainant and the Respondent will have an equal opportunity to share information and request that witnesses be interviewed. However, at all times, the burden of gathering evidence remains with the University. In the absence of their consent, the Complainant and Respondent will not be interviewed together or be required to meet. The investigator(s) retain(s) discretion to determine how to conduct the investigation and what information is necessary and relevant.

   No unauthorized audio or video recording of any kind is permitted during investigation meetings or interviews. If the investigator(s) elect(s) to audio and/or video record interviews, all parties involved in the meeting or interview will be made aware that audio and/or video recording is occurring.

2. **Assessment Following Investigation**
   Once an investigation is completed, the Title VI Coordinator or Associate Provost for Equity and Diversity will assess whether the results of the investigation warrant proceeding with the Complaint process.

   If it is determined that the alleged incident is more properly handled pursuant to another University policy or procedure, the matter will be directed to the appropriate procedure or personnel.

   If it is determined that the allegations and available information warrant a continuation of the process, an informal resolution, administrative resolution, or a formal resolution may proceed.

   If it is determined that continuing with the process is not warranted, the process will end, and the Complainant and Respondent will be informed. This notice will include findings of fact and the rationale for the determination.

IX. Administrative Resolution

In cases where the alleged violations, and therefore the range of possible sanctions, are minor (less than suspension or expulsion), the University may resolve the allegations through administrative resolution. If this process is used, following the receipt of the Notice of Allegations and completion of the investigation process, the Respondent will be required to meet with the Title VI Coordinator or Associate Provost for Equity and Diversity by a specified date. The Title VI Coordinator or the Associate Provost for Equity and Diversity will then give the Respondent the opportunity to respond to the allegation(s).

Once the Title VI Coordinator or the Associate Provost for Equity and Diversity makes reasonable attempts to allow the Respondent to respond to the allegation(s), the following occurs:

- The Title VI Coordinator or the Associate Provost for Equity and Diversity will make a determination as to whether the Respondent is responsible for the allegation(s).
- If there is a finding of responsibility, the Title VI Coordinator or Associate Provost for Equity and Diversity will determine sanctions.

X. Formal Hearing Process

If the formal hearing process is to be used, the Title VI Coordinator or Associate Provost for Equity and Diversity will appoint a hearing panel consisting of a hearing panel Chair, who may be an external adjudicator or a PCRG member, and two additional panel members who are members of the PCRG. All panel members will be checked for conflicts of interest.

PCRG members who serve as an investigator or an advisor to the Complainant or Respondent may not serve as hearing panel members in the same matter. A hearing before the panel will be convened not less than ten (10) business days after the parties have been provided notice of the hearing, for the purpose of determining whether the Respondent is responsible or not responsible for the allegation(s).

Participants in the hearing will include the members of the hearing panel, the Complainant and the Respondent, their respective advisors, the investigator(s) who conducted the investigation, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisors, are not allowed unless deemed necessary by the Title VI Coordinator or Associate Provost for Equity and Diversity for purposes such as the accommodation of a disability or language translation. Witnesses are not permitted to bring an advisor or other person to the hearing, absent an approved disability accommodation or a need for a translator. The hearing panel may be advised by and/or consult with the University's legal counsel as the hearing panel Chair deems necessary or appropriate. Hearings will be recorded by the University. Cell phones and/or recording devices may not be used for the purposes of recording by the parties or their advisors in the hearing.

Hearings may be conducted with all parties physically present in the same location or, at the discretion of the Title VI Coordinator or the Associate Provost for Equity and Diversity, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling the hearing panel and the parties to simultaneously see and hear any party or witness while speaking. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Title VI Coordinator or Associate Provost for Equity and Diversity may postpone the hearing for good cause. Good causes may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

At least ten (10) business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the designated hearing panel Chair will send a letter to the parties stating the following: A description of the alleged violation(s) (including, to the extent known, the date, time, location and factual allegations, and a reference to the specific Colgate policy provision(s) alleged to have been violated); a description of the applicable procedures; and the sanction or sanctions that could be imposed.

Prior to the hearing, each party will submit to the hearing panel Chair and the Title VI Coordinator or the Associate Provost for

Equity and Diversity the names of all witnesses the party intends to call and a brief description of the subject(s) about which the party believes the witness has relevant information. The hearing panel Chair will exclude any witness the hearing panel Chair deems unnecessary. The hearing panel Chair will share with all parties the names of all witnesses whom they have approved to be called, and all relevant and available documentary information. The hearing panel Chair may decide that certain witnesses do not need to participate in the hearing if their testimony can be adequately summarized by the investigator(s) during the hearing. The hearing panel Chair is in charge of organizing the presentation of information to be considered by the hearing panel. The Title VI Coordinator or the Associate Provost for Equity and Diversity may assist the hearing panel Chair in organizing witnesses and testimony.

The hearing panel Chair will explain procedural ground rules prior to or at the outset of the proceeding, and the hearing panel Chair may impose additional ground rules as may be necessary for the orderly and efficient progress of the proceeding. Once the procedures are explained and the participants are introduced, the hearing panel Chair may call the investigator(s) to present the report of the investigation if the hearing panel Chair deems such a presentation to be necessary or desirable. The investigator(s) may be asked to respond to questions posed by the hearing panel Chair or hearing panel members. The findings of the investigation are not binding on the panel, though any undisputed conclusions of the investigation report will not be revisited, except as necessary to determine sanctions/responsive actions or as otherwise determined necessary by the hearing panel Chair.

Formal rules of evidence will not apply. Any information that the hearing panel Chair and panel believe is relevant and credible may be considered.

The hearing panel Chair will address any concerns regarding the consideration of information prior to and/or during the hearing and may exclude irrelevant or immaterial information. The hearing panel Chair will have discretionary authority to determine all questions of procedure. The hearing panel Chair is empowered to determine whether particular questions, evidence, or information will be accepted or considered, including whether a particular witness will or will not be called and, if called, the topic(s) that the witness or the parties will be permitted to address. Anyone appearing at the hearing to provide information will present and respond to questions on their own behalf and not through anyone else.

A. Questioning Procedure

The hearing panel Chair will allow each party to propose questions that the party wants asked of the other party or any witness. These questions can be posed before the hearing in writing or during the hearing orally. The hearing panel Chair will determine whether a proposed question is appropriate before they ask the question, and will pose any approved question to the other party or witness on the questioning party's behalf. In the event the hearing panel Chair excludes a question, the hearing panel Chair will explain the decision. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The hearing panel Chair will give the party an opportunity to clarify or revise an otherwise acceptable question that the hearing panel Chair determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Unless the hearing panel Chair determines it is appropriate, no one will present information or raise questions concerning:

1. the character of the Complainant or Respondent, or

2. incidents not directly related to the alleged violations unless they are offered to show a pattern of behavior or conduct.

XI. Findings or Admissions of Responsibility/Non-Responsibility; Sanctions

Determinations of responsibility in an administrative resolution or hearing as to whether the Respondent is responsible or not responsible for the alleged violation(s) are made using "preponderance of the evidence" as the standard of proof to determine whether each alleged violation occurred. "Preponderance of the evidence" means that the administrator or hearing panel must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged in violation of University policy. A lack of preponderance does not necessarily mean that the Complainant has been dishonest or made a false Complaint, but rather that the weight of the evidence did not indicate that it was "more likely than not" that a violation occurred.

If the administrator or hearing panel determines that the Respondent is responsible for one or more of the allegations in question, they move to a consideration of sanctions. To inform sanctioning decisions, if there is a finding of responsibility for one or more of the allegations, the Respondent's prior disciplinary history, if any, will be shared with the administrator or hearing panel. Each party may submit a written personal impact statement for consideration by the administrator or hearing panel in determining

an appropriate sanction if there is a finding of responsibility on one or more of the allegations. The parties may submit their statements anytime to the Title VI Coordinator or the Associate Provost for Equity and Diversity prior to 72 hours after the administrative resolution meeting or hearing ends. In addition to the impact statement(s), factors considered when determining sanctions may include:

1. the nature and severity of, and circumstances surrounding, the violation(s);
2. the Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
3. the Respondent's previous disciplinary history (or lack thereof);
4. the need for sanctions to bring an end to the conduct; and/or to prevent the future recurrence of similar conduct;
5. the need to remedy the effects of the conduct on the Complainant and/or the community;
6. the impact of potential sanctions on the Respondent;
7. sanctions imposed by the University in other matters involving comparable conduct; and
8. any other lawful factors deemed relevant by the administrator or hearing panel.

The parties will receive simultaneous written notification of the outcome of the administrative resolution or hearing without a commitment to protect the confidentiality of the outcome. It shall be the decision of each party whether that party will disclose or discuss the outcome of any administrative resolution, hearing, or appeal. The notification will include written notice of the findings, and (if applicable) the sanction, as well as a rationale for the decision and (if applicable) the sanction and information with respect to appeal procedures.

A. Student Sanctions

The following are the sanctions that may be imposed upon students or organizations singly or in combination:

1. Warning: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure, or directive will result in more severe disciplinary action.

2. Probation: A written reprimand for violation of the policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, no-contact orders, and/or other measures deemed appropriate.

3. Suspension: Termination of student or organizational status for a definite period of time and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Colgate.

4. Expulsion: Permanent termination of student status or indefinite or permanent revocation of University recognition of organizational status.

5. Withholding Diploma: The University may withhold a student's degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.

6. Revocation of Degree: The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

7. Other Actions: In addition to or in place of the above sanctions, the hearing panel may assign any other sanctions as deemed appropriate, including but not limited to the following:

    a) Education, so a student has the opportunity to gain more insight into their behavior.

    b) "No-contact" (including but not limited to continuation of a no-contact order imposed as a supportive measure): a prohibition against having contact with one or more identified persons, in person or through telephonic, electronic, written, or other means. A no-contact order may include additional restrictions and terms.

c) Acknowledgement of Impact: Requiring the student or organization to write a letter acknowledging the impact to those involved.

d) Campus or Community Service: Requiring unpaid service to the University or area community stated in terms of type and hours of service.

e) Restitution: Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs.

f) Housing-related sanctions:

i) Loss, revocation, or restriction of the privilege to live in University housing (e.g., exclusion from specified locations or alteration of status in the housing lottery or other selection system).

ii) Loss, revocation, or restriction of off-campus living privileges.

Sanctions take effect immediately, unless the Title VI Coordinator or Associate Provost for Equity and Diversity delays implementation pending completion of any appeal process.

XII. Appeals

A. Grounds for Appeal: Submission Requirements

The Complainant or Respondent may appeal the result of any administrative resolution or hearing. All appeals must be submitted in writing to the Vice President for Equity and Inclusion within ten calendar days of the delivery of the written findings of the administrative resolution or hearing panel. Appeals of a decision issued by a formal hearing involving students shall be submitted to an appellate panel composed of the Dean of the College and a PCRG member designated by the Vice President for Equity and Inclusion. Appeals of a decision issued by administrative resolution shall be submitted to the Vice President for Equity and Inclusion. Any party may appeal a decision, but only on the basis of one or more of the following grounds:

1. A procedural error or omission occurred during the process which, based upon the entire record, is reasonably likely to have changed the outcome of the administrative resolution or hearing (e.g., substantiated bias, material deviation from established procedures, etc.); or

2. New information, unavailable prior to or during the administrative resolution or hearing, has come to the attention of one of the parties, which, had it been known at the time of the administrative resolution or hearing, and based upon the entire record, is reasonably likely to have changed the outcome of the administrative resolution or formal hearing process or the nature or severity of any sanction that may have been imposed; or

3. Any sanction imposed is disproportionate to the nature or severity of the violation or violations.

Any appeal must include a clear statement of the nature of any claimed procedural error or new information, or the basis of any claim of disproportionality. In the case of a claimed procedural error or new information, the appeal must also include a statement of the likely impact of the claimed error or newly discovered information on the proceedings.

B. Appeal Procedures

In the event of an appeal by any party, all parties and the original decision maker(s) shall be notified that the appeal has been submitted and shall have a reasonable opportunity to respond to the appeal in a manner determined by the appellate decision maker (i.e., the appellate panel or the Vice President for Equity and Inclusion). The decision will be sustained if the appeal is not timely or is not made on the basis of one or more of the grounds listed above, or the appellate decision maker concludes that the grounds for appeal are not supported by the record as a whole. Any decision that is not appealed, or that is sustained on appeal, is final. The appellant shall have the burden of establishing, by a preponderance of the evidence, that one or more of the grounds for appeal are meritorious, and any party may also attempt to show that this burden has not been met.

Additional principles governing appeals are the following:

1. Because the appellate decision maker has not heard the evidence directly, deference must be given to the original administrative resolution decision maker(s) or hearing panel on evidentiary matters and the appellate decision maker must sustain the decision unless one of the three grounds for appeal listed above has been established.

2. In the event that the appellate decision maker determines that the appellant has met the burden of establishing that one or more grounds for appeal have merit, the appellate decision maker has discretion to take action consistent with that determination. That may include, without limitation, in the case of procedural error or new information, remanding the case in whole or in part to the original administrative resolution decision maker(s) or hearing panel, remanding the case in whole or in part to a new decision maker or panel, and, in the case of disproportionality of a sanction, modifying that sanction as appropriate.

3. The appellate decision maker's decision is final and no further appeals are allowed, except to the extent that one or more parties seek review of proceedings ordered by the appellate decision maker on remand.

XIII. Withdrawal While Charges Pending

Should a student decide to withdraw from the University and not participate in the investigation, administrative resolution, and/or hearing, the University may opt to proceed in absentia to resolution and that student will not be permitted to return to Colgate unless all levied sanctions (if any) have been satisfied. If a student withdraws while subject to a Complaint, investigation, or charges based upon alleged conduct constituting a crime of violence that the University is required by federal law to include in its Annual Security Report, the transcript of the student shall include the notation "Withdrew with conduct charges pending."

XIV. Bias/Conflict of Interest

In the event that any person assigned a role pursuant to these procedures is aware of any relationship, fact, circumstance, or occurrence that they reasonably believe creates or constitutes bias or a conflict of interest that would render the person incapable of performing the role in an impartial manner, that person shall identify in writing the bias or conflict of interest to the Vice President for Equity and Inclusion at the earliest practicable time.

Similarly, any Complainant or Respondent who objects to the participation of any person assigned a role pursuant to these procedures based upon bias or a conflict of interest shall identify the conflict of interest to the Title VI Coordinator or Associate Provost for Equity and Diversity at the earliest practicable time. The Title VI Coordinator or Associate Provost for Equity and Diversity will determine whether bias or a conflict of interest in fact exists and necessitates replacement of the person in question.

XV. Records

In implementing these procedures, records of all Complaints, resolutions, and hearings will be kept by the Title VI Coordinator or Associate Provost for Equity and Diversity. Access to these records will be made available only on a need-to-know basis or as required by law. Any such release shall only be made in accordance with any applicable Colgate policy and federal and state laws.

XVI. Transcript Notations

Students found responsible after a formal resolution process and suspended or expelled for a crime of violence that the University is required by federal law to include in its Annual Security Report will have a notation included on their transcript stating, "Suspended after a finding of responsibility for a code of student conduct violation" or "Expelled after a finding of responsibility for a code of student conduct violation." Upon the written request of a suspended student, transcript notations for suspensions imposed under these procedures may be removed at the discretion of the Title VI Coordinator but no earlier than one year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

While a formal resolution process is pending, the Respondent's transcript may contain the notation, "conduct process pending." This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

Student Sexual/Gender-Based Misconduct Policy

The University prohibits discrimination or harassment based on characteristics protected by applicable law, including gender, gender identity, gender expression, pregnancy or pregnancy-related conditions, and sex (collectively, "Protected Characteristics").

I. Who Does this Policy Apply to?

This policy sets forth behavioral expectations for all current Colgate University students. This policy and the associated procedures apply to situations where students are the Complainant or the Respondent; as such, they may apply to conduct by a student against an employee, or by an employee against a student. This policy and its associated procedures apply in other circumstances (including without limitation conduct between employees) where the University determines that Title IX requires their application. This policy applies to conduct that occurs on Colgate's campus or property and in any Colgate programs and sponsored activities. This policy applies to off-campus conduct under certain circumstances. For example, certain aspects of the policy apply when students travel off campus as part of a University activity or team. Conduct that occurs off campus and not in connection with Colgate programs or activities may violate certain aspects of this policy if the conduct creates a threatening or hostile environment on campus or within a Colgate program or activity, or if the incident causes concern for the safety or security of Colgate's campus or otherwise has a reasonable nexus to the University or its interests.

A Complaint against an Affiliated Individual or a non-community member for violation of the Colgate University Sexual/Gender-Based Misconduct Policy will be handled and addressed as the Title IX Coordinator deems appropriate to ensure that responsive action is taken.

II. Who Provides Oversight of This Policy?

The person responsible for the implementation of this policy is:
Title IX Coordinator
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries may be made to:
Vice President for Equity and Inclusion
The Office of Equity and Diversity
102 Lathrop Hall
Colgate University
13 Oak Drive
Hamilton, NY 13346
315-228-6161

Inquiries and complaints against the University may be made externally to:
Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-1100
Customer Service Hotline #: 800-421-3481
Facsimile #: 202-453-6012
TDD#: 800-877-8339
E-mail: OCR@ed.gov
Web: **http://www.ed.gov/ocr**

III. What Conduct is Prohibited? (Definitions)

The following describes conduct prohibited by this policy (referred to in this policy and its associated procedures as "Prohibited Conduct"):

This policy applies to alleged conduct violative of Title IX of the Education Amendments of 1972 ("Title IX Violations"), and also applies to a broader range of contexts and behaviors inconsistent with the University's commitment to equal opportunity and, in some cases, the University's obligations under other applicable laws such as New York Education Law Article 129-B (i.e., "University Standards Violations").

The designation of Prohibited Conduct or allegations as either "Title IX Violations" or "University Standards Violations" is not a function of the seriousness of the alleged conduct but rather a function of the scope and coverage of Title IX versus the University's broader obligations under New York Education Law Article 129-B and its discretion to prohibit and discipline a larger scope of inappropriate behavior.

A. Title IX Violations

Title IX of the Education Amendments of 1972 provides: "No person in the United States shall, on the basis of sex, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

In accordance with Title IX as interpreted by the United States Department of Education, the University recognizes the following as conduct violations within the meaning of Title IX, provided that the context and circumstances of the conduct fall within the scope of Title IX. Among other things, this means that the Complainant was in the United States at the time of the alleged conduct, that the Complainant is participating in or seeking to participate in the University's education program or activity at the time of the Complaint, and that the conduct is alleged to have occurred in the context of the University's education program or activity:

1. **Sexual Harassment**
   "Sexual harassment", as a Title IX Violation, is conduct on the basis of sex, gender, or sexual orientation, that satisfies one or more of the following:

   - An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (commonly referred to as a "quid pro quo"); or
   - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity (commonly referred to as a sexually or gender-based "hostile environment").

   Unwelcome conduct on the basis of sex, gender, sexual orientation, or gender identity or expression, that does not rise to the level or occur in the context described above may be addressed as a University Standards Violation, provided that it meets the definition of sexual harassment as a University Standards Violation.

2. **Sexual Assault**
   Consistent with federal law, Colgate defines sexual assault as a sexual act directed against another person, without consent of the other person, including instances where the other person is incapable of giving consent. Sexual assault consists of any of the following specific acts:

   - **Non-Consensual Sexual Intercourse** — Sexual assault of this type includes the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the other person.
   - **Non-Consensual Sexual Contact** — This form of sexual assault includes any intentional touching of the clothed or unclothed body parts of another person, directly or with an object, without consent of the other person, for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by another person of the actor's clothed or unclothed body parts without consent of other person, for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
   - **Incest** — Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
   - **Statutory Rape** — Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York State is 17.

3. **Dating Violence**
   Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:

   (i) the length of the relationship;

   (ii) the type of relationship; and

   (iii) the frequency of interaction between the persons involved in the relationship.

Dating violence can include behavior such as coercion, isolation, or other forms of emotional, verbal, or economic abuse if it reflects a threat of sexual or physical abuse as described above. Dating violence does not include acts covered under the definition of domestic violence.

4. **Domestic Violence**
   Domestic violence refers to a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the University is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have a relationship as described above..

5. **Stalking**
   Stalking is engaging in a course of conduct directed at a specific person on the basis of sex that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition,

   - a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
   - "Reasonable Person" means a reasonable person under similar circumstances and with similar identities to the Complainant; and
   - "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

   Examples of behavior that may constitute stalking include repeated, intentional following, observing, or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, or frightening communications by phone, mail, email, text, social media messaging, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual. Stalking that does not occur on the basis of sex may be addressed as a University Standards Violation.

B. University Standards Violation

The University prohibits the following behavior under circumstances in which a University interest is implicated (such as an impact on individuals as members of the University community). For the purpose of University Standards Violations, the below conduct is prohibited even if the conduct occurs off campus, outside the United States, if the Complainant is not participating or seeking to participate in the University's education program or activity, or otherwise in circumstances over which the University does not have influence or control, including but not limited to during University academic breaks.

1. **Discrimination**
   The term "discrimination" refers to an act that disadvantages a person and that occurs because of the affected individual's Protected Characteristics. Examples of discrimination include but are not limited to excluding a student from membership in an organization, denying a student a professional opportunity, or giving a student a lower grade than deserved because of the student's Protected Characteristic.

2. **Sexual Harassment**
   "Sexual harassment" is unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex or gender, sexual orientation, or gender identity or expression, when the conduct is so severe or pervasive that it has the effect of unreasonably interfering with an individual's work, academic, or extracurricular performance, even if the reporting individual is not the intended target of the sexual harassment.

   Harassing conduct can occur in various forms, including:

- **Verbal** – Conduct such as unwelcome sexually suggestive, demeaning, or graphic comments; unwelcome verbal sexual advances; using slurs to refer to a person; bullying, yelling, or name-calling; refusing to use a person's preferred pronouns or name; or jokes or comments that demean a person on the basis of sex or gender, sexual orientation, gender identity, or gender expression.
- **Physical** – Conduct such as unwanted sexual contact or physical sexual advances (e.g., unwanted touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body, or poking another person's body); sexual intimidation through physical threats; or physical threats toward or intimidation of another on the basis of sex or gender, sexual orientation, gender identity, or gender expression.
- **Visual** – Conduct such as exposing another person to unwanted pornographic images; creating or displaying pictures, symbols, flags, cartoons, or graffiti that is/are sexually offensive or disparage(s) another person or group based on sex or gender, sexual orientation, gender identity, or gender expression.
- **Communication-based** – Conduct such as phone calls, e-mails, text messages, chats, blogs, or online communications that offend, demean, or intimidate another on the basis of sex or gender, sexual orientation, gender identity, or gender expression. Members of the community are expected to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of, or group within, the University community.
- **Sex stereotyping** – Conduct in which another person's or group's conduct or personality traits are treated as inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

These various forms constitute Prohibited Conduct when they rise to the standard of sexual harassment set forth above.

A determination as to whether sexual harassment occurred depends on the totality of the circumstances, including the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness or severity of the incident, the intent of the individual who engaged in the allegedly offensive conduct, and its effect or impact on the individual or group and the learning community.

A "hostile environment" is a type of harassment, and occurs when offensive conduct or behavior interferes with an individual's ability to participate in the University's programs or activities when judged against a Reasonable Person standard. However, Colgate encourages individuals experiencing or witnessing offensive behavior to make a report as early as possible so as to have the situation corrected before it reaches the level of a policy violation. Individuals with a concern need not worry about whether the behavior is sufficiently serious to constitute a hostile environment.

The fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. The determination as to whether this policy has been violated takes into account the totality of the circumstances as described above. In all instances, a key factor is whether the complained-of behavior occurred based on sex or gender, sexual orientation, gender identity, or gender expression or was sexual in nature. If it did not, the behavior is not regulated by this policy. However, even if the conduct is not sexual in nature or based upon on sex or gender, sexual orientation, gender identity, or gender expression and/or does not otherwise constitute Prohibited Conduct under this policy, the University may respond by providing individual and community support and resources to those who have been impacted. In addition, such conduct that is not sexual in nature or based on sex or gender, sexual orientation, gender identity, or gender expression may constitute a violation of the University's Code of Student Conduct and, if so, will be addressed pursuant to the System of University Standards and Student Conduct.

Colgate also prohibits "quid pro quo" sexual harassment, which means "this for that" harassment. It is a violation of this policy for any person to condition any benefit on submission to sexual activity.

3. Sexual Assault

"Sexual assault" includes any sexual act directed against another person without the consent of the other person, including instances where the victim is incapable of giving affirmative consent, but that does not constitute sexual assault as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example, because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). Sexual assault consists of the following specific acts:

- **Non-Consensual Sexual Intercourse** – Sexual assault of this type includes the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, forcibly or without the affirmative consent of the other person or where the other person is incapable of consent due to mental or physical incapacity.
- **Non-Consensual Sexual Contact** – This form of sexual assault includes any intentional touching of the clothed or unclothed body parts of another person, directly or with an object, without consent of the other person, for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by another person of the actor's clothed or unclothed body parts without consent of other person, for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
- **Incest** – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York State is 17.

4. Sexual Exploitation

Taking non-consensual or abusive sexual advantage of another for one's own benefit or for the benefit of anyone other than the person being exploited, even if the conduct does not otherwise constitute another offense under this policy (such conduct may constitute sexual exploitation, another violation under this policy, or both). Examples of Sexual Exploitation include:

- sexual voyeurism (such as observing or allowing others to observe (an)other person(s) undressing or using the bathroom or engaging in sexual acts, or in any other sexually related activity, when there is a reasonable expectation of privacy during the activity, without the consent of the person(s) being observed);
- taking, using, or disseminating pictures, video, or audio recording of (an)other person(s) undressing or using the bathroom or engaging in sexual acts, or in any other sexually related activity, when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as disseminating sexual pictures without the photographed person's consent or beyond the parameters of consent), including the making or posting of revenge pornography;
- exposing one's genitals in non-consensual circumstances or non-consensual disrobing of another person so as to expose the other person's private body parts;
- prostituting another person;
- engaging in sexual activity with another person while knowingly infected with a sexually transmitted disease (STD) or infection (STI), without informing the other person of the STD or STI;
- causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity;
- misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
- forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity;
- knowingly soliciting a minor for sexual activity.

5. Dating Violence

Dating violence refers to violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, but that does not constitute dating violence as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example, because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). The existence of such a relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship;

(ii) the type of relationship; and

(iii) the frequency of interaction between the persons involved in the relationship.

Dating violence can include behavior such as coercion, isolation or other forms of emotional, verbal or economic abuse. Dating violence does not include acts covered under the definition of domestic violence.

6. Domestic Violence

Domestic violence refers to a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction where the University is located, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurs, that does not constitute domestic violence as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example, because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have a relationship as described above.

7. Stalking

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress, but that does not constitute stalking as a Title IX Violation as defined above because of the nature of the behavior or the context in which it occurs (for example, because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the University's education program or activity at the time of the Complaint, or because the conduct did not occur in the context of the University's education program or activity). For the purposes of this definition:

- a "course of conduct" means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- "Reasonable Person" means a reasonable person under similar circumstances and with similar identities to the Complainant; and
- "substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Stalking behavior may include but is not limited to repeated, intentional following, observing, or lying in wait for another; using "spyware" or other electronic means to gain impermissible access to a person's private information; repeated, unwanted, intrusive, or frightening communications by phone, mail, email, text, social media messaging, etc.; making direct or indirect threats to harm an individual or the individual's relatives, friends, or pets; or damaging or threatening to damage the property of the targeted individual.

8. **Retaliation**
   Retaliation is an adverse act perpetrated to "get back" at a person because the person reported misconduct, filed a Complaint, or participated or refused to participate as a complainant, respondent, or witness in an investigation or proceeding conducted in response to reported violation of this policy by the University or by an external agency. Retaliation also includes an adverse act against someone for the purpose of interfering with any right or privilege under this policy or applicable law. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats, or intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the targeted individual or group) from engaging in protected activity. A person who acts in good faith is protected from retaliation. The fact that a statement is not determined to be proven or established following investigation and adjudication does not mean that the statement lacked good faith; a person may provide inaccurate information believing it is accurate, which is still good faith. If a person makes a statement knowing that it is false, the person has acted without good faith.

IV. What Is Consent?

Sexual activity or contact must be based on mutual and affirmative consent to the specific activity or contact. Our policy requires affirmative consent. 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. Whenever the word "consent" is used in this policy, it should be understood to mean affirmative consent as defined here.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to take reasonable steps to ensure that the other has consented before engaging in the activity. A person cannot consent if that individual is incapacitated. Incapacitation is defined as a state where someone lacks the ability to knowingly choose to participate in a specific activity. Incapacity may be caused by the lack of consciousness, sleep, involuntary restraint, or other factors that prevent voluntary choice. 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. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy. "Should know" is an objective, Reasonable Person standard which assumes that a Reasonable Person is both sober and exercising sound judgment. Consent is required regardless of whether the initiator is under the influence of alcohol or other drugs. It is not an excuse that the person initiating the sexual activity was intoxicated or incapacitated due to alcohol or other drugs and, therefore, did not realize the incapacity of the other.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Further, past consent to engage in sexual activity with any person cannot be presumed to be consent to sexual activity in the future with the same or a different person.

The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. A person can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer want the act to continue. When consent is withdrawn or can no longer be given, the other person must stop immediately.

Consent cannot be given as a result of coercion, intimidation, force, or threat of harm. Coercion is a threat, undue pressure, or intimidation to engage in sexual activity. Coercion is more than an effort to persuade, seduce, entice, or attract another person to engage in sexual activity. A person's words or conduct are sufficient to constitute coercion if they deprive another individual of the ability to freely choose whether or not to engage in sexual activity.

Acts of sex-based harassment, sexual assault, dating violence, domestic violence, and stalking can occur regardless of the sex, gender, sexual orientation, and/or gender identity of those involved.

V. Who is Required to Report Prohibited Conduct to the Title IX Coordinator?

All members of Colgate's community are expected to promote an environment free from sexual and/or gender-based misconduct. Colgate encourages any individual to report incidents of Prohibited Conduct to obtain support and information and to enable Colgate to respond appropriately. Individuals can report concerns about Prohibited Conduct to the Title IX Coordinator.

There are certain employees who must report incidents of Prohibited Conduct to the Title IX Coordinator. These Mandated Reporters include members of the Prohibited Conduct Response Group and the Discrimination and Harassment Team and employees in the Offices of Human Resources, Campus Safety, Emergency Management, Administrative Advising, Student Conduct, and Residential Life. The Vice President and Dean of the College and Dean of Students are also Mandated Reporters.

A. Reporting Requirement of Faculty and Staff

Any faculty or staff member, unless their status as a Confidential Employee precludes this disclosure, who learns of an incident of Prohibited Conduct as defined in this policy is encouraged to report this information to the Title IX Coordinator.

Supervisors (even if not Mandated Reporters) must report any complaints or suspected acts of Prohibited Conduct by or affecting employees (even if they do not involve direct reports). The Title IX Coordinator is responsible for providing direction to employees and supervisors about any University-required supportive measures, such as, but not limited to, addressing issues directly with staff, faculty, or students whom they supervise, facilitating informal resolution or mediation of issues, providing information on avenues to address questions of Prohibited Conduct, or pursuing Complaints under the complaint procedures described here. Failure to report Prohibited Conduct in accordance with this section may be considered a violation of University policy.

Even Colgate offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution.

B. Public Awareness/Advocacy Events

If a member of the Colgate community discloses actions believed to constitute Prohibited Conduct through a public awareness event such as a candlelight vigil or a protest, Colgate is not obligated to begin an investigation. Colgate may, however, use the information to inform the need for additional education and prevention efforts.

VI. What if I Need Accommodations or Adjustments for my Disability in this Policy and Related Procedures?

General disability accommodation or adjustment requests are handled separately from this policy. The Executive Director of Student Disability Services is responsible for coordinating efforts to comply with these disability laws, including evaluation of student accommodation requests for academic and housing adjustments. Procedures for requesting these types of accommodations or adjustments are described in the student handbook.

Student requests for accommodations or adjustments while engaging in the processes contemplated by the Student Sexual/Gender-Based Misconduct Policy and/or Procedures should be directed to the Title IX Coordinator. The Title IX Coordinator may consult with the Office of Disability Services in the determination of a disability accommodation or adjustment request.

Complaints regarding disability-related discrimination or harassment should be directed to the Title VI Coordinator.

VII. What if I Need Modification for My Pregnancy or Related Condition?

The Title IX Coordinator is responsible for coordinating efforts to comply with laws governing pregnancy or related conditions. Student requests for modification should be directed to the Title IX Coordinator. For more details, please see the Pregnancy and/or Related Conditions Policy.

Student Sexual/Gender-Based Misconduct Procedures

I. Procedural Summary

These procedures provide options to resolve concerns or reports made that allege Prohibited Conduct within the scope of the Sexual/Gender-Based Misconduct Policy.

Following the receipt of a reported concern or Complaint, the Title IX Coordinator will send an outreach email to offer to meet with the Reporting Party and provide them with resources and offer assistance.

Meeting with the Title IX Coordinator can include a discussion of supportive measures. Supportive measures are intended to provide resources and/or adjustments to a student who experienced Prohibited Conduct in order to assist with their continued involvement in the University's programs and activities. These supportive measures may include no-contact orders or other academic, residential, or work adjustments. A student may reach out to a Confidential Employee and decide at that time or a later time to report to the University.

The following procedures are available to Complainants following the assessment of the Complaint/intake, if the matter falls within the scope of the Sexual/Gender-Based Misconduct Policy. There may be times that additional fact gathering may occur prior to an investigation. Once there is sufficient information to identify the allegations, the following procedures may be available to the Complainant:

- *Informal Resolution* — A process that permits the parties (i.e., the Complainant and the Respondent) to agree to the terms of resolving the situation, with the approval of the Title IX Coordinator. Not all incidents are appropriate for informal resolution, and no party may be forced to participate in or accept informal resolution. This is a process that requires voluntary participation by the parties and agreement by the Title IX Coordinator.
- *Formal Resolution* — A process where, following the conclusion of an investigation, the findings and (if applicable) sanctions are determined by a hearing panel.

If an incident involves criminal conduct, the victim may make a complaint to law enforcement. An individual may report to the University and also make a report to law enforcement. An individual may make a report to only the University or only to law enforcement, or may report to neither the University nor law enforcement.

The University will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of these procedures, provided that such steps do not restrict the ability of the parties to obtain and present evidence, to speak to witnesses, to consult with their family members, Confidential Employees, or advisors, or otherwise prepare for or participate in a process. The University will also take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information and evidence obtained solely through these procedures. However, disclosures of such information and evidence for purposes of administrative proceedings or litigation related to a complaint of Prohibited Conduct will be authorized.

II. Supportive Resources

A. Confidential Support

A Confidential Employee is an individual designated by the University who is not required to report the identity of an individual sharing specific details or information about behavior or incidents that could be considered Prohibited Conduct. A disclosure to a Confidential Employee or office does not result in a University investigation or any other action to respond to the incident.

The confidential resources will not share your information with anyone else, including other staff or faculty or the Title IX Coordinator, unless you give them explicit written permission to share your information or unless permitted or required consistent with ethical or legal obligations (e.g. when an individual poses a threat to self or others). A person seeking confidential emotional support or healthcare may contact the following resources:

1. **On-Campus Support**

   - Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call Campus Safety at 315-228-7333 and ask to speak with the counselor on-call.
   - Student Health Services, 140 Broad Street, 315-228-7750.

- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.
- Haven, Sexual Violence Resource Center at Colgate, located at Drake Hall, 315-228-7385.

2. Off-Campus Support

- Enough is Enough Advocate, Help Restore Hope, 24/7 Hotline: 855.9.NOWSAFE (855.966.9723) (Ask for on-call advocate).
- Community Memorial Hospital, 315-824-1100, 150 Broad Street, Hamilton, NY
- The New York State Department of Health - Women's Health website: for more information, see: https://www.health.ny.gov/community/adults/women/
- Your own medical or mental health provider

Some on-campus Confidential Employees submit non-personally identifying information about Clery-reportable crimes to Colgate Campus Safety for purposes of anonymous statistical reporting under the Clery Act.

B. Non–Confidential Resources

Colgate personnel at the University, other than Confidential Employees, are not confidential and, if they learn of Prohibited Conduct, may (and Mandated Reporters and supervisors must) report such information to the Title IX Coordinator.

III. Reporting Options

Current or former students, staff, or faculty can report Prohibited Conduct directly to the Title IX Coordinator or the following (each individual or office listed below is required to report such information they receive to the Title IX Coordinator):

- Online Reporting Forms: You may use one of Colgate's online reporting forms. The forms provide the option for you to report anonymously or to share your information. Providing anonymous information may help the University maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or person; and alert the campus community to potential dangers when appropriate. Depending on the amount of information available in the anonymous report, however, the University's ability to respond with an investigation or disciplinary action may be limited. If you share your information, someone from our office will contact you to follow up.
- Title IX Coordinator/ Title IX Office: Anyone may make a report of Prohibited Conduct to the Title IX Coordinator by going in person to Lathrop 102, by telephone at 315-228-7014 or by email at **TitleIX@colgate.edu**.
- **Any Prohibited Conduct Response Group (PCRG) member**
- **Any Discrimination and Harassment Team (DHT) member**
- Campus Safety (315-228-7333), who can assist with filing a Complaint and preserving evidence
- Law Enforcement: The Hamilton Police Department (315-824-3311, or 911 in an emergency), who can assist in filing a criminal complaint and preserving evidence.

Additionally, orders of protection and other forms of legal protection may be available to individuals who have experienced or are threatened with violence by another person. Colgate will reasonably assist such individuals in obtaining available legal protections, provide a copy of any order of protection or similar document it receives to the parties affected by it, explain the order of protection or similar document and the consequences for violating it, and call upon and assist local law enforcement in effecting an arrest for violation of the order of protection or similar document.

There is no time limit for making a report. However, the passage of time may make effective responsive action difficult. Further, if the Respondent is no longer a member of the University community, the University's ability to respond may be limited. Individuals with a concern are encouraged to make a report promptly.

You may also contact the Title IX Coordinator or a PCRG member to discuss how Colgate's investigatory and grievance processes work. You need not disclose information about a specific incident in order to obtain general information about the University's policies and procedures.

A third party or anyone other than the Complainant may report an incident, but the person who allegedly experienced Prohibited Conduct is the Complainant for purposes of these procedures.

IV. Supportive Measures

Supportive measures are accessed by request to the Title IX Office. These supportive measures, which may be available regardless of whether a Complaint is made, are intended to protect the safety and well-being of members of the campus community and are not indicative of findings of responsibility. Supportive measures may include but are not limited to:

- Mutual No-Contact Orders and, in certain cases, one-way No-Contact Orders;
- Academic Adjustments
- Housing Adjustments
- Work Adjustments
- Counseling Referrals
- SANE (Sexual Assault Nurse Examiner) Exam conducted at Community Memorial Hospital
- Transportation
- Escort around campus

The Title IX Coordinator is responsible for approving and implementing or arranging supportive measures. To learn more about any of these or other available supportive measures, please contact the Title IX Office.

A. Reconsideration of Supportive Measures and Denied Requests

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed by submitting a written request to the Vice President for Equity and Inclusion to assess whether the supportive measure is reasonable under the circumstances. In addition, an individual may also seek a prompt review of the need for and/or terms of any supportive measure that directly affects said individual, by submitting a written request for review to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measure under review affects that party.

V. Emergency Removal

When a student accused of Prohibited Conduct is determined to be an immediate threat to the physical health or physical safety of any student or other individual arising from the allegations of Prohibited Conduct, the University may undertake an emergency removal of the student from some or all University programs or activities pending the outcome of any proceedings under these procedures. Prior to effectuating an emergency removal of a student, the University will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the health or safety of any student, including the student Respondent, or other individual justifies removal, then the student Respondent will be removed.

Both the Complainant and the Respondent will, upon written request, be afforded an opportunity for a review of the need for and/or terms of an emergency removal, including potential modification. Parties desiring such a review should submit a written request to the Vice President for Equity and Inclusion, providing the basis for that request and any evidence in support. The burden of proof is on the party submitting the request to show that the removal decision was incorrect. The emergency removal will remain in effect while the appeal is considered.

The emergency removal process applies only to student Respondents. Employee Respondents are not subject to this process and may be placed on administrative leave pursuant to the University's policies and/or collective bargaining agreements during any process under these procedures.

VI. Initial Intake/Complaint

When the Title IX Coordinator receives a report of Prohibited Conduct, the Title IX Coordinator reaches out to the person who is impacted by the potential misconduct (the Complainant). This outreach is typically done via email. In that email, the Title IX Coordinator will share information about resources, potential supportive measures, and invite the Complainant to meet. If a Complainant chooses to meet with the Title IX Coordinator, the Title IX Coordinator will ask them questions about what they experienced and discuss their options for potential resolutions, including review of the formal and informal resolution processes, protection from retaliation, allowing them to submit a Complaint (if desired and not previously submitted), and confidential support options. This initial meeting is called an Intake.

The Complainant is also provided a document delineating their rights, resources, and options, including the right to make a report to local law enforcement, to the state police, or a combination thereof, or to choose not to report, to be protected from retaliation for reporting an incident, and to receive supportive measures and resources through Colgate or other community organizations.

The Complainant may choose to only share their experience with the Title IX Coordinator and ask that the University not take any further action. If the Complainant does not want the University to take further action, the Title IX Coordinator will consider the request. However, in some limited circumstances, the Title IX Coordinator, in consultation with other "need-to-know" staff from the University (e.g., Campus Safety, Human Resources, and/or Risk Management), may determine it is necessary to move forward with the Complaint, in which case the Title IX Coordinator with sign the Complaint. The Title IX Coordinator will take the following factors into consideration when determining if the Title IX Coordinator should initiate a Complaint:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;
- The severity of the alleged Prohibited Conduct, including whether the Prohibited Conduct, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the Prohibited Conduct and prevent its recurrence;
- Whether the Respondent has a history of violent behavior or is a repeat offender;
- Whether the alleged incident represents alleged escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- Whether the Respondent allegedly used a weapon or force;
- Whether the University possesses other means to obtain evidence, such as security footage;
- Whether available information reveals a pattern of perpetration at a given location or by a particular group;
- The age and relationship of the parties, including whether the Respondent is an employee of the University;
- The scope of the alleged Prohibited Conduct, including information suggesting a pattern, ongoing Prohibited Conduct, or Prohibited Conduct alleged to have impacted multiple individuals;
- The availability of evidence to assist a decision maker in determining whether Prohibited Conduct occurred; and
- Whether the University could end the alleged Prohibited Conduct and prevent its recurrence without initiating a grievance procedure under this policy.

If the Title IX Coordinator does initiate and sign a Complaint, the Title IX Coordinator is not the "Complainant" for purposes of these procedures; the Complainant remains the person who allegedly experienced the Prohibited Conduct. The Complainant will be notified prior to the Title IX Coordinator taking such action, and the Title IX Coordinator will appropriately address any reasonable concerns about safety, including by providing supportive measures.

In cases where the Reporting Party requests confidentiality or anonymity, and the circumstances allow the University to honor that request, the University will offer supportive measures and remedies to the Reporting Party and the community, but will not otherwise pursue formal action.

There is no time limit on bringing a Complaint, as long as the accused individual is a member of the campus community and/or remains subject to its jurisdiction, but prompt reporting is very strongly encouraged. The Title IX Coordinator may exercise discretion in handling Complaints when substantial time has passed since an alleged incident.

The University may temporarily withhold a student's degree and/or diploma if the student is subject to an Emergency Removal based on a pending Complaint or investigation.

A. Advisors

Complainants and Respondents may have an advisor of their choosing (at the party's expense, if the advisor is a paid advisor), who may be, but is not required to be, an attorney, assist them throughout any formal or informal process, including during all meetings and hearings related to the process. During a formal resolution process, if a party does not have an advisor at the time that the initial investigation is complete, then the University will provide an advisor. If the University provides an advisor for a party, it will be at its choosing and in advance of the hearing as described below.

Advisors can only advise the Complainant or Respondent privately and cannot act as speaking advocates in the investigation, or informal resolution process. During the adjudication process the advisor may conduct questioning as described below, but otherwise may speak only at the discretion of the hearing panel Chair. If an advisor does not adhere to these or other applicable ground rules, the advisor will be dismissed from the interview or other meeting or proceeding, which will continue without opportunity for the advisee to secure a new advisor. If an advisor is going to accompany a party, that party must advise the Title IX Coordinator of the identity of the advisor upon making that decision.

VII. Complaint Dismissal Provisions

In order to comply with federal Title IX regulations, the Title IX Coordinator must "dismiss" allegations of Title IX Violation(s) alleged in a Complaint if, at any time following receipt of the Complaint, it is apparent that the allegations are not within the scope of Title IX, including that the conduct alleged:

1. would not constitute sexual harassment, sexual assault, dating violence, domestic violence, or stalking as defined as Title IX Violations in the Sexual/Gender-Based Misconduct Policy, even if proved;
3. did not occur in the University's education program or activity; or
4. did not occur against a person in the United States.

Even if allegations of Title IX Violations are subject to dismissal, the University may continue to process the allegations as University Standards Violations if the allegations, if true, would constitute University Standards violations.

The Title IX Coordinator also may (but is not necessarily required to) dismiss a Complaint or any of its allegations at any time during the investigation or hearing if:

1. the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Complaint or any specific allegation,
2. the Respondent is no longer enrolled or employed by the University, or
3. specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Complaint or its allegations.

Any decision to dismiss a Complaint or allegation pursuant to this section is immediately appealable pursuant to the appeal procedures set forth below.

VIII. Informal Resolution

An informal resolution is a process in which the parties are assisted in resolving the allegations made by a Complainant without a formal investigation and adjudication. A Complaint is necessary to initiate an informal resolution process. Types of informal processes include, but are not limited to, educational conversations, training, mediated conversations, and restorative justice practices. The Title IX Coordinator will offer informal resolution processes to the parties if the Title IX Coordinator believes an informal resolution may be appropriate.

The parties must agree to an informal resolution. Any party in an informal resolution process may end it at any time and, if applicable, the Complaint will proceed (or return) to the formal investigation and resolution process. In some instances, the facilitator in the informal resolution process or the Title IX Coordinator may terminate the process as well.

The informal resolution process is not available in a situation involving more than two parties unless (a) all parties voluntarily consent to use the informal resolution process, (b) there is an understanding among all parties about what happens when the right of any party to stop the informal resolution process and commence (or return to) the formal investigation and resolution process is invoked, and (c) there is an understanding among all parties about whether some parties, but not all, can agree to a resolution.

No party should feel intimidated, coerced, or threatened to participate in an informal resolution process, and the Title IX Coordinator will not authorize use of the informal resolution process where there is reason to believe that a party's consent to use the process is not truly voluntary. The result of an informal resolution process is not subject to appeal once all parties indicate their written assent to all agreed-upon terms of resolution.

Supportive measures are available to both parties during informal resolution processes.

A. Notice Prior to Informal Resolution

Before the initiation of an informal resolution process, the Title IX Coordinator will provide to the parties a written notice that explains:

- the allegations;
- the requirements of the informal resolution process;
- that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the formal investigation and resolution process;
- that the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming the formal investigation and resolution process arising from the same allegations;
- the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- that information the University will maintain and whether and how the University could disclose such information for use in its formal investigation and resolution process if it is initiated or resumed.

B. Role of the Facilitator

Not all informal resolutions will involve a facilitator. When they do, the facilitator's role is to conduct the informal resolution process in a way that is impartial and does not favor one party over the other(s).

The facilitator has broad latitude to conduct the informal resolution in whatever way they deem appropriate and relevant to the parties' concerns. If the facilitator believes at any point in the informal resolution process that one party is not behaving in a way that allows for a productive resolution between the parties, or should a conflict with the facilitator arise, either another facilitator will be appointed or the University will require that the informal resolution process be canceled and the matter may be addressed through the formal investigation and resolution process.

C. Support Person

Each party may have a support person accompanying them to any informal resolution meeting. A support person can help a party understand or explain the issues under discussion or simply help the party feel more comfortable during the informal resolution process; this can be a friend, relative, a PCRG member, or any other person that the party trusts. Support people cannot be anyone who has been involved in the facts and circumstances in the allegations in any way. The facilitator or Title IX Coordinator can exclude a support person if their presence is disruptive during the informal resolution process.

A party must let the Title IX Coordinator know in advance if they would like a support person to attend any meeting and the name of the support person and that person's relationship to the party. The facilitator or Title IX Coordinator will check with the other party to confirm that such party agrees to continue with the informal resolution with the support person present.

Support can be provided in several ways. Support people do not necessarily have to be present in an informal resolution session; if preferred, they can be available in a nearby area and provide support during breaks.

Parties engaged in informal resolutions are permitted to retain advisors to help them in the process. The role of advisors in an informal resolution can be limited by the informal resolution facilitator and/or the Title IX Coordinator.

D. Confidentiality

For the informal resolution process to have the best chance for success, the parties should be free to express themselves. As a result, the information received from the parties solely during the informal resolution process will be kept confidential by the facilitator, with limited exceptions, but the facilitator may share information as necessary, to enable the Title IX Coordinator to oversee the process in accordance with these procedures.

In addition, the facilitator will not be available as a witness in any formal investigation and resolution process that may occur should a party or the University terminate the informal resolution process before a resolution.

Should the matter proceed or be returned to the formal investigation and resolution process, the parties and any support persons may not disclose information shared by the other party solely during the informal resolution process in the formal investigation and resolution process. All parties participating in the informal resolution process must sign an agreement that provides that information

revealed by a party solely in the informal resolution process will not be used against the other party in the formal investigation and resolution process. This protection does not apply to information that is learned outside the informal resolution process, through the investigation or otherwise.

E. Possible Outcomes of an Informal Resolution

A resolution is reached only if all parties agree and if the resolution is accepted by the Title IX Coordinator. The University imposes no restrictions on the possible outcomes reflected in a resolution so that the parties are free to fashion a resolution that meets their needs, subject to acceptance by the Title IX Coordinator. A resolution may include sanctions, up to and including expulsion/termination of employment, if the parties agree. For example, the parties may agree upon an educational conversation, prohibitions on co-enrollment or registration priorities for classes, boundaries for participation in campus activities, and/or restrictions on contact between or among the parties, among other terms of an informal resolution.

The facilitator (or, if a facilitator is not used, the Title IX Coordinator) will draft a document reflecting the agreement between the parties that becomes final once it is signed by all parties and accepted by the Title IX Coordinator. This written and signed resolution indicates that the matter has been resolved under this process without the need to pursue the formal investigation and resolution process.

After a written resolution has been finalized, the University will keep a record of the parties' written consent to the informal resolution process and the written resolution. Results of informal resolution are not appealable.

F. What Happens if the Informal Resolution Process Does Not Result in an Agreed-Upon Resolution

The informal resolution process should proceed with due promptness. The University imposes no specified timeframe for the process but the facilitator or Title IX Coordinator may choose to terminate the informal resolution process (and either party may elect to terminate the process) if insufficient progress is being made.

If an informal resolution process does not result in an agreed-upon resolution, the formal investigation and resolution process may commence or resume.

IX. Formal Process

A formal Complaint is necessary to initiate a formal process and must be in written form and signed by the Complainant or the Title IX Coordinator. A third party or anyone other than the victim of the misconduct may report an incident, but may not file a formal Complaint. However, a formal Complaint may be filed by a parent or guardian on behalf of a minor person.

A. Notice of Allegations

The parties will receive a Notice of Allegations, in advance of any interview or other meeting they are required or entitled to attend. This Notice will include:

1. to the extent known, the identities of the involved parties and the date, time, location, and factual allegations concerning the alleged violation;
2. the policy provisions allegedly violated;
3. a description of the investigation and adjudication process;
4. potential sanctions;
5. the right to an advisor of their choice, who may be, but is not required to be, an attorney to assist and accompany them throughout the process, including during all meetings and hearings related to the process, as and to the extent provided in these procedures;
6. the right to inspect and review evidence in accordance with these procedures;
7. notice that knowingly making false statements or knowingly submitting false information is prohibited under University policy.
8. consistent with the preponderance of the evidence standard used to determine responsibility, notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process; and
9. a statement about the University's policy on retaliation.

If, in the course of the investigation, the University decides to investigate allegations that are not included in the notice initially provided to the parties, the Title IX Coordinator will provide notice of the additional allegations to the parties.

To the extent the Title IX Coordinator has reasonable concerns for the safety of any person as a result of providing the Notice of Allegations, the Title IX Coordinator may reasonably delay providing the Notice in order to address the safety concern appropriately. Reasonable concerns must be based on an individualized safety and risk analysis and not on mere speculation or stereotypes. In any event, the parties will receive the Notice with sufficient time to prepare a response before any initial interview.

The Complainant and Respondent will be provided with notice of the name of the appointed investigator(s) and an opportunity of not more than three business days after the notice to raise an objection to the investigator(s) based on any alleged bias or conflict of interest known to the party. If an objection is raised, the Title IX Coordinator will determine whether bias or conflict of interest in fact exists and necessitates the replacement of the investigator(s).

B. Investigation Scope and Timeline

Investigation of Complaints will be completed within one-hundred and twenty (120) business days when reasonably possible, but an investigation may take longer when (among other things) the University is not in session. The University may, but shall not be obligated to, delay the process when criminal charges on the basis of the same behaviors that invoke this process are being investigated; such delays will not last more than ten (10) calendar days except when law enforcement authorities specifically request and justify a longer delay. Both parties will be provided with written notice of any extension of the process beyond one-hundred and twenty (120) business days, and of the reason for the delay. University action will not be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

The timeframes of the major stages of the formal resolution process are estimated as follows in business days:

- Intake: 5 days;
- Investigation: 60 days;
- Evidence and Draft Report Review/Response: 10 days;
- Investigative Report Review/Response and Notice of Hearing: 10 days;
- Adjudication (including pre-hearing meetings and issuance of Notice of Outcome): 25 days; and
- Appeal Process: 10 days.

The Title IX Coordinator may determine that cases where the allegations arise out of the same set of facts or circumstances should be consolidated for purposes of investigation and/or adjudication. Instances where consolidation of Complaints may occur include but are not limited to cross-Complaints by the parties against each other, multiple Complaints by a single Complainant against a Respondent, Complaints by multiple Complainants against one or more Respondents, or multiple Complaints by a single Complainant against multiple Respondents.

1. **Participation in an Investigation Process**

   During the investigation, which is an impartial fact-finding process, the Complainant and the Respondent will have an equal opportunity to share information and request that witnesses be interviewed. However, at all times, the burden of gathering evidence remains with the University. In the absence of their consent, the Complainant and Respondent will not be interviewed together or be required to meet. The investigator(s) retain(s) discretion to determine how to conduct the investigation and may decline to interview any witness or to gather information the investigator(s) find(s) to be not relevant or otherwise excludable (e.g., sexual history of the Complainant with a person other than the Respondent, materials subject to a recognized privilege, medical records in the absence of a release by the subject of the records, etc.).

   No unauthorized audio or video recording of any kind is permitted during investigation meetings or interviews. If the investigator(s) elect(s) to audio and/or video record interviews, all parties involved in the meeting or interview will be made aware that audio and/or video recording is occurring.

C. Standards for Questions and Evidence

For purposes of these procedures (including all stages of the investigation and hearing processes), (a) "relevant" evidence and questions include any evidence and questions that are related to the allegations and may aid in showing whether Prohibited Conduct occurred, and (b) evidence that relates to the Complainant's sexual interests, predisposition, or prior sexual conduct is not relevant, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered

to prove consent (for example, to demonstrate indicia of consent in previous encounters between the parties allegedly identical to purported indicia of consent in the incident in question).

In addition, the University will not access or use (i) evidence that is protected under a privilege as recognized by Federal or State law or evidence provided to a confidential resource, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality in writing; and (ii) a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in the investigation and adjudication process.

D. Evidence Review

Unless the Title IX Coordinator has referred the case for determination pursuant to another University policy or procedure, authorized informal resolution, or dismissed the Complaint, a draft investigative report will be created and the Complainant and Respondent will be provided an equal opportunity to review the draft report and any evidence directly related to the allegations that is gathered in the investigation, regardless of whether the information will be relied on in reaching a determination.

Additionally at this stage in the process, upon the request of a party, the University will appoint, without fee or charge to that party, an advisor of the University's choice who will be a licensed attorney to assist that party from and after this stage of the process (including for purposes of any subsequent hearing, and/or appeal[s]). Because the appointed advisor is to be selected by the University, the University will not pay or reimburse a party for the fees of an advisor of choice selected by the party (at any stage of the process). Prior to the conclusion of the investigative report, the Complainant and Respondent, and each party's advisor, if any, will be provided a copy of the draft investigative report and the above-referenced evidence (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform, as determined in the sole discretion of the Title IX Coordinator), subject to redaction permitted and/or required by law. The Complainant and Respondent will be provided with at least ten (10) business days to submit a written response, which the investigator(s) will consider prior to completion of the final investigative report. Based on the parties' written responses the investigator(s) will determine if additional investigation is necessary (and, if so, will complete any additional investigative steps), and will incorporate relevant elements of the responses and any additional relevant evidence into the report.

The investigative report will fairly summarize the relevant evidence; the report will not make conclusions as to responsibility, contain policy analysis, or render any recommendations as to findings or sanctions. The investigator(s) will not include information in the investigative report that the investigator(s) determine(s) not relevant or otherwise excludable. The investigator(s) will submit the final investigative report to the Title IX Coordinator, who will then make it available to the parties for review.

At least ten (10) business days prior to a hearing to determine whether there is responsibility for the allegations, the Complainant and Respondent, and each party's advisor, will be provided a copy of the final investigative report (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform, as determined in the sole discretion of the Title IX Coordinator) for their review and written response, subject to redaction permitted and/or required by law.

Absent extraordinary circumstances as determined by the Title IX Coordinator in consultation with the investigator(s), no party may introduce any new evidence not previously made available during the investigation in their response to the evidence and/or draft investigation report. This shall not preclude a party from including in their response assertions as to the meaning of existing evidence, even if those assertions were not articulated during the investigation. In considering whether to permit introduction of new evidence based on extraordinary circumstances, the Title IX Coordinator may consider factors including but not limited to (a) the significance of the proposed evidence, and (b) the reason the evidence was not produced during the investigation. If the Title IX Coordinator decides to authorize acceptance of new evidence on this basis, the Title IX Coordinator may (but shall not be required to) authorize the investigator(s) to reopen the investigation and take such further investigative steps as the investigator(s) deem(s) necessary or advisable.

X. Formal Hearing Process

A. General

The Title IX Coordinator will appoint a hearing panel consisting of a hearing panel Chair, who may be an external adjudicator or a PCRG member, and two additional panel members who are members of the PCRG. All panel members will be checked for conflicts of interest. In cases involving faculty parties or staff parties, the Title IX Coordinator will make reasonable efforts, subject to availability and screening for conflicts, to appoint a hearing panel including at least one faculty member for cases involving faculty parties and at least one staff member for cases involving staff parties.

PCRG members who served as investigators or as advisors to the Complainant or Respondent may not serve as hearing panel members. A hearing before the panel will be convened not less than ten (10) business days after the parties have been provided access to the final investigative report, for the purpose of determining whether the Respondent is responsible or not responsible for the allegation(s).

The Title IX Coordinator will notify the parties in writing of the date, time, and location of the hearing, the names of the hearing panel members, and how to challenge participation by any hearing panel member for bias or conflict of interest.

Participants in the hearing will include the members of the hearing panel, the Complainant and the Respondent, their respective advisors, the investigator(s) who conducted the investigation, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisors, are not allowed unless deemed necessary by the Title IX Coordinator for purposes such as accommodation of a disability or language translation. Witnesses are not permitted to bring an advisor or other person to the hearing, absent an approved disability accommodation or a need for a translator. The hearing panel may be advised by and/or consult with the University's legal counsel as the hearing panel Chair deems necessary or appropriate. Hearings will be recorded by the University. Cell phones and/or recording devices may not be used for the purposes of recording by the parties or their advisors in the hearing room(s).

Hearings may be conducted with all parties physically present in the same location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling the hearing panel and the parties to simultaneously see and hear any party or witness while speaking. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Title IX Coordinator may postpone the hearing for good cause as determined by the Title IX Coordinator. Good cause may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

At least one week prior to the hearing, or as far in advance as is reasonably possible if an accelerated hearing is scheduled with the consent of the parties, the Title IX Coordinator will send a letter to the parties stating the following: a description of the alleged violation(s) (including, to the extent known, the date, time, location, and factual allegations, and a reference to the specific Colgate policy provision(s) alleged to have been violated); a description of the applicable hearing procedures; and the sanction or sanctions that could be imposed.

Prior to the hearing, the parties will submit to the hearing panel Chair and the Title IX Coordinator the names of all witnesses the party intends to call and a brief description of the subject(s) about which the party believes the witness has relevant information. The hearing panel Chair is in charge of organizing the presentation of information to be considered by the hearing panel. The Title IX Coordinator may assist the hearing panel Chair in organizing witnesses and testimony.

The hearing panel Chair will explain procedural ground rules prior to or at the outset of the proceeding, and the hearing panel Chair may impose additional ground rules as may be reasonably necessary for the orderly and efficient progress of the proceeding, all of which shall apply equally to all parties. Once the procedures are explained and the participants are introduced, the hearing panel Chair may call the investigator(s) to present the report of the investigation if the hearing panel Chair deems such a presentation to be necessary or desirable. The investigator(s) may be asked to respond to questions posed by the hearing panel Chair or hearing panel members. The findings of the investigation are not binding on the panel.

Formal rules of evidence will not apply. Any information that the hearing panel Chair determines is relevant and not otherwise excludable may be considered, including hearsay, history and information indicating a pattern of behavior, and character evidence. All evidence previously made available to the parties for inspection and review prior to completion of the investigative report as described above will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of questioning. Absent extraordinary circumstances as determined by the hearing panel Chair, no party may seek to introduce at the hearing any new evidence not previously made available in connection with the investigation, other than the investigative report itself and any responses to the investigative report submitted by the parties. In considering whether to permit introduction of new evidence based on extraordinary circumstances, the hearing panel Chair may consider factors including but not limited to (a) the significance of the proposed evidence, and (b) the reason the evidence was not produced during the investigation. If the hearing panel Chair decides to admit new evidence on this basis, the hearing panel Chair may take such actions, if any (including adjournment or remanding the evidence to the investigator(s) for further investigation), as the hearing

panel Chair deems advisable to enable the other part(y)(ies) to respond to, and the hearing panel to understand, the meaning and implications of the evidence.

The hearing panel Chair will address any concerns regarding the consideration of information prior to and/or during the hearing and may prohibit the introduction of irrelevant or otherwise excludable information. Subject to the terms of these procedures, the Chair will have discretionary authority to determine all questions of procedure, to determine whether particular questions, evidence, or information will be accepted or considered (including whether a particular witness will or will not be called and, if called, the topic(s) that the witness or the parties will be permitted to address), to call breaks or temporary adjournments of the hearing, to determine the order of the proceedings, and/or to recall parties or witnesses for additional questions as the chair deems necessary or appropriate. Anyone appearing at the hearing to provide information will present and respond to questions on their own behalf and not through anyone else.

B. Advisors

Except with respect to questioning as described below, each party's advisor's role is limited to consulting with their advisee, and the advisor may not present evidence, address the hearing panel during the hearing, object to any aspect of the proceeding, or disrupt the hearing in any way, and any consultation with the advisee while the hearing is in progress must be done in a quiet non-disruptive manner or in writing. The advisor may consult with the advisee verbally outside the hearing during breaks, when such breaks are granted by the hearing panel Chair. An advisor's questioning of the other party and any witnesses must be conducted in a respectful, non-harassing, and non-abusive manner. If the Chair determines that an advisor is not adhering to these or other ground rules, the advisor may be required to leave the hearing, and the hearing will proceed without an opportunity for the party to obtain a replacement advisor; provided, however, that the University will assign an advisor of the University's choosing, without charge, for the purpose of conducting questioning on behalf of the party as provided below.

C. Questioning Procedure

The hearing panel will permit each party's advisor to ask the other party and any witnesses all relevant and not impermissible questions and follow-up questions, including those challenging credibility; provided that questions that seek disclosure of information protected under a legally recognized privilege will not be permitted unless the person or entity holding the privilege has waived the privilege in writing. Questioning must be conducted by the party's advisor in a non-harassing and non-abusive manner, and never by a party personally. If a party does not have an advisor present at the hearing, the Title IX Coordinator will arrange for the University to provide, without fee or charge to that party, an advisor of the University's choice to conduct questioning on behalf of that party.

Only relevant and not impermissible questions may be asked by a party's advisor to a party or witness. Before the party or witness answers a question posed by an advisor, the hearing panel Chair will first determine whether the question is relevant and not impermissible, and explain any decision to exclude a question. The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), impermissible, or harassing or abusive. The advisor posing the question may request that the Chair reconsider any decision to exclude a question and the Chair will render a final determination. Such decisions by the Chair are not subject to further objection or reconsideration during the hearing. Questions that are unclear, or harassing or abusive of the party or witness being questioned, will not be permitted. The hearing panel Chair will give the advisor an opportunity to clarify or revise a relevant and not impermissible question that the hearing panel Chair determines is unclear, harassing, or abusive. If the advisor sufficiently clarifies or revises the question, the question will be permitted.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not permissible, other than questions and evidence about the Complainant's prior sexual behavior that (a) are offered to prove that someone other than the Respondent committed the alleged misconduct, or (b) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent (for example, to demonstrate indicia of consent in previous encounters between the parties allegedly identical to purported indicia of consent in the incident in question).

D. Impact of Not Answering Permitted Questions

If a party or witness does not appear at the hearing, or attends but declines to respond to relevant and not impermissible questions, the hearing panel may nevertheless rely on statements of that party or witness, during the hearing or otherwise, in reaching a determination regarding responsibility, but may also determine what significance to afford those statements in view of the lack of questioning (for example, the hearing panel may choose to place less or no weight upon statements by a party or a witness who does not attend or refuses to respond to questions deemed relevant and not impermissible). The hearing panel will not, however, draw an inference as to responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

XI. Findings or Admissions of Responsibility/ Non-Responsibility; Sanctions

Following conclusion of the hearing, the hearing panel will deliberate and render a determination by majority vote as to whether the Respondent is responsible or not responsible for the alleged violation(s). The hearing panel will use "preponderance of the evidence" as the standard of proof to determine whether each alleged violation occurred. "Preponderance of the evidence" means that the hearing panel must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged in violation of University policy. A lack of preponderance does not necessarily mean that the Complainant has been dishonest or made a false Complaint, but rather that the weight of the evidence did not indicate that it was "more likely than not" that a violation occurred.

If the hearing panel determines that the Respondent is responsible for one or more of the allegations in question, it moves to a consideration of sanctions. To inform sanctioning decisions, if there is a finding of responsibility for one or more of the allegations, the Title IX Coordinator will share with the hearing panel the Respondent's prior disciplinary history, if any. In addition, consistent with the University's Procedures for Compliance with the NCAA Board of Governors Policy on Campus Sexual Violence (which contemplate the possibility that a finding of responsibility for sexual violence, interpersonal violence, or other acts of violence may result in limitations or prohibition on an individual's participation in intercollegiate athletics), the Title IX Coordinator will share with the hearing panel the Respondent's current status as a student athlete, if any.

Each party may submit a written personal impact statement to the Title IX Coordinator for consideration by the hearing panel in determining an appropriate sanction if there is a finding of responsibility on one or more of the allegations. The parties may submit their statements anytime to the Title IX Coordinator prior to 72 hours after the hearing ends. In addition to the impact statement(s), if any, factors considered when determining sanctions may include

1. the nature and severity of, and circumstances surrounding, the violation(s);
2. the Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
3. the Respondent's previous disciplinary history (or lack thereof);
4. the need for sanctions to bring an end to the conduct; and/or to prevent the future recurrence of similar conduct;
5. the need to remedy the effects of the conduct on the Complainant and/or the community;
6. the impact of potential sanctions on the Respondent;
7. sanctions imposed by the University in other matters involving comparable conduct; and
8. any other lawful factors deemed relevant by the hearing panel.

A. Student Sanctions

The following are the sanctions that may be imposed upon students or organizations:

1. **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure, or directive will result in more severe disciplinary action.
2. **Probation:** A written reprimand for violation of the policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders, and/or other measures deemed appropriate.
3. **Suspension:** Termination of student or organizational status for a definite period of time and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Colgate.
4. **Expulsion:** Permanent termination of student status or indefinite or permanent revocation of University recognition of organizational status.

5. **Withholding Diploma:** The University may withhold a student's degree and/or diploma for a specified period of time and/or deny a student participation in commencement activities.

6. **Revocation of Degree:** The University reserves the right to revoke a degree awarded from the University for fraud, misrepresentation, or other violation of University policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

7. **Other Actions:** In addition to or in place of the above sanctions, the hearing panel may assign any other sanctions as deemed appropriate, including but not limited to the following:

    a) Education, which can include counseling, so a student has the opportunity to gain more insight into their behavior.

    b) "No contact" order (including but not limited to continuation of a no-contact order imposed as a supportive measure): a prohibition against having contact with one or more identified persons, in person or through telephonic, electronic, written, or other means. A no-contact order may include additional restrictions and terms.

    c) Acknowledgement of Impact: Requiring the student or organization to write a letter acknowledging the impact to those involved.

    d) Campus or Community Service: Requiring unpaid service to the University or area community stated in terms of type and hours of service.

    e) Restitution: Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs.

    f) Housing-related sanctions:

        i. Loss, revocation, or restriction of privilege to live in University housing (e.g., exclusion from specified locations or alteration of status in the housing lottery or other selection system).

        ii. Loss, revocation, or restriction of off-campus living privileges.

B. Employee Sanctions

Sanctions that may be imposed on employees include warning, required counseling as a condition of continued employment or return to employment, implementation of a performance improvement plan, loss of annual pay increase, demotion, suspension with pay, suspension without pay, termination, or other actions deemed appropriate.

C. Other Remedial Actions

In appropriate cases, the University may take other steps as may be necessary to correct the effects of or prevent further Prohibited Conduct (e.g., banning an individual from campus, changing housing assignments, arranging for the retaking of an exam, removal or reversal of a discriminatory performance evaluation, etc.).

D. Notice of Outcome

The parties will receive simultaneous written notification of the outcome of the hearing without a commitment to protect the confidentiality of the outcome. It shall be the decision of each party whether that party will disclose or discuss the outcome of any hearing or appeal. The notification will include the following information:

1. a description of the allegations that were adjudicated;

2. a description of the procedural steps taken from the submission of the formal Complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. findings of fact supporting the determination;

4. conclusions regarding the application of the applicable policy provisions to the facts;

5. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the University's educational programs or activities will be provided to the Complainant; and

6. the procedures and permissible bases for the Complainant and Respondent to appeal.

E. Conclusion of Process

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" or if an appeal is not filed, the date on which the opportunity to appeal expires.

Any sanctions imposed by the hearing panel will be stayed during the time to file an appeal and while an appeal by any party is pending. During any such stay, the University may provide supportive measures, and/or may implement an emergency removal if warranted.

XII. Appeals

A. Grounds for Appeal; Submission Requirements

The Complainant or Respondent may appeal a decision to dismiss a Complaint or specific allegations in a Complaint, or the result of any formal hearing. All appeals must be submitted in writing within ten (10) calendar days of the delivery of the notice of dismissal or written findings of the hearing panel. Appeals in cases in which the Respondent is a student shall be submitted to an appellate panel composed of the Dean of the College and a PCRG member designated by the Title IX Coordinator. Appeals in cases in which the Respondent is a member of the faculty or staff shall be submitted to an appellate panel comprised of the Provost and a PCRG member designated by the Title IX Coordinator (for faculty cases, the PCRG member will be a faculty member). Any party may appeal a decision, but only on the basis of one or more of the following grounds:

- a procedural irregularity that affected the outcome; or
- new evidence, not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome; or
- the Title IX Coordinator, investigator(s), or hearing panel member(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome; or
- any sanction imposed is disproportionate to the nature or severity of the violation or violations.

Any appeal must include a clear statement of the nature of any claimed procedural irregularity or new information, or the basis of any claim of disproportionality. In the case of a claimed procedural irregularity or new evidence, the appeal must also include a statement of the likely impact of the claimed irregularity or new evidence.

B. Appeal Procedures

In the event of an appeal by any party, all parties and the hearing panel Chair shall be notified that the appeal has been submitted and shall have a reasonable opportunity to respond to the appeal in a manner determined by the appellate panel. The decision will be sustained if the appeal is not timely or is not made on the basis of one or more of the grounds listed above, or the appellate panel concludes that the grounds for appeal are not supported by the record as a whole. Any decision that is not appealed, or that is sustained on appeal, is final. The appellant shall have the burden of establishing, by a preponderance of the evidence, that one or more of the grounds for appeal are meritorious, and any party may also attempt to show that this burden has not been met.

Additional principles governing appeals are the following:

1. Because the appellate panel has not heard the evidence directly, deference must be given to the hearing panel on evidentiary matters and the appellate panel must sustain the decision unless one of the grounds for appeal listed above has been established.

2. In the event that the appellate panel determines that the appellant has met the burden of establishing that one or more grounds for appeal have merit, the appellate panel has discretion to take action consistent with that determination. That may include, without limitation, in the case of procedural error or new information, remanding the case in whole

or in part to the original hearing panel, remanding the case in whole or in part to a new hearing panel and, in the case of disproportionality of a sanction, modifying that sanction as appropriate.

3. Once an appeal of a case is concluded, no further appeals are allowed, except to the extent that one or more parties seek review of proceedings ordered by the appellate panel on remand.

Both parties will receive simultaneous written notice of the outcome of any appeal, including the finding on each ground for appeal, the rationale for each finding, and any specific instructions for further proceedings (if applicable) and/or other actions taken by the appellate panel. Once the appeals process is complete, the result is final and is not subject to further review or appeal under other Colgate University policies or procedures.

XIII. Withdrawal While Charges Pending

The University reserves the right to not permit a student to withdraw, and to place a hold on the release of a student's transcript, if that student has an investigation or charges against them pending under these procedures. Additionally, the University reserves the right to add a transcript notation to a Respondent's transcript if they have allegations pending under these procedures. These are not disciplinary sanctions, but are intended to facilitate an equitable resolution of the process.

Should a student Respondent decide to withdraw from the University and not participate in the investigation and/or hearing, the University may opt to proceed in absentia to a resolution and that student will not be permitted to return to Colgate unless all levied sanctions (if any) have been satisfied. If a student withdraws while subject to a Complaint, investigation, or charges based upon alleged Prohibited Conduct constituting a crime of violence that the University is required by federal law to include in its Annual Security Report, the transcript of the student shall include the notation "Withdrew with conduct charges pending."

Should an employee resign while an investigation or charges against them are pending under these procedures, the personnel records of that employee will reflect that status. As may be necessary and appropriate, the Title IX Coordinator may continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the conduct upon the victim and the community.

XIV. Bias/Conflict of Interest

The Title IX Coordinator, investigator(s), and decision makers are prohibited from having a conflict of interest or bias for or against any party or for or against Complainants or Respondents in general. The Title IX Coordinator, investigator(s), and decision makers will receive annual training to ensure they understand and are free of bias and do not have a conflict of interest when responding to a Complaint. The Title IX Coordinator, investigator(s), and decision makers will receive annual training to ensure a prompt and equitable resolution process that explicitly addresses how these roles are to serve impartially, including by avoiding prejudgment of the facts at issue, and requiring a presumption that the Respondent is not responsible for the allegations being investigated until the matter is adjudicated.

In the event that any person assigned a role pursuant to these procedures is aware of any relationship, fact, circumstance, or occurrence that they reasonably believe creates or constitutes bias or a conflict of interest that would render them incapable of performing the role in an impartial manner, that person shall identify the bias or conflict of interest to the Title IX Coordinator at the earliest practicable time. Similarly, any Complainant or Respondent who objects to the participation of any person assigned a role pursuant to these procedures based upon bias or a conflict of interest shall identify the conflict of interest to the Title IX Coordinator at the earliest practicable time. The Title IX Coordinator will determine whether bias or a conflict of interest in fact exists and necessitates replacement of the person in question.

XV. Records

In implementing these procedures, the Title IX Coordinator will maintain for a period of not less than seven years records of:

1. each investigation pursuant to this policy, including any determination regarding responsibility and any audio or audiovisual recording or transcript made in connection with a formal resolution, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant or other affected individuals designed to restore or preserve equal access to the University's education program or activity;
2. any appeal and the result therefrom;

3. any informal resolution process and the result therefrom; and

4. any materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process. The University will make these training materials available on the **Colgate University Website**.

In addition, for each report of potential Prohibited Conduct made to the Title IX Coordinator, the University will create records of any actions, including any supportive measures, taken in response to a report or Complaint of Prohibited Conduct. In each instance, the University will document the reason for actions taken, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the University does not provide a party with requested supportive measures, then the University will document the reasons for that decision. The University will maintain these records for seven (7) years.

Access to the records (other than training materials) will be made available only on a need-to-know basis or as required by law. Except as required by law, no public release of the content of such records may be made until a final determination is made (i.e., when no appeal of the decision is sought, or in the event of an appeal, when the decision of the appellate panel is communicated to the parties). Any such release shall only be made in accordance with any applicable Colgate policy and federal and state laws.

XVI. Transcript Notations

Students found responsible after a formal resolution process and suspended or expelled for a crime of violence that the University is required by federal law to include in its Annual Security Report will have a notation included on their transcript stating, "Suspended after a finding of responsibility for a code of student conduct violation" or "Expelled after a finding of responsibility for a code of student conduct violation." Upon the written request of a suspended student, transcript notations for suspensions imposed under these procedures may be removed at the discretion of the University Registrar in consultation with the Title IX Coordinator, but no earlier than one year after the conclusion of the suspension. Transcript notations for expulsion shall not be removed.

While a formal resolution process is pending, the Respondent's transcript may contain the notation, "conduct process pending." This is not a disciplinary sanction, but is intended to facilitate an equitable resolution of the process.

XVII. Student Bill of Rights

Pursuant to New York Education Law Article 129-B, all students have the right to:

1. Make a report to local law enforcement and/or state police.

2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.

3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by Colgate.

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 University courteous, fair, and respectful health care and counseling services, where available.

6. Be free from any suggestion that the Complainant 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 practicable and not be required to unnecessarily repeat a description of the incident.

8. Be protected from retaliation by Colgate, any student, the accused and/or the Respondent, and/or their friends, family, and acquaintances within the jurisdiction of the University.

9. Access at least one level of appeal of a determination.

10. Be accompanied by an advisor of choice who may assist and advise a Complainant, accused, or Respondent 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 Colgate.

A Complainant has the right:

1. To be treated with respect by University officials.
2. To experience a safe living, educational, and work environment.
3. To take advantage of campus support resources (such as Haven, Counseling and Psychological Services, the Office of the Chaplains, and University Health Services for students, or EAP services for employees), and to receive courteous, fair and respectful treatment.
4. To decline to have an allegation resolved through informal resolution procedures.
5. To receive amnesty for minor student misconduct (such as minor alcohol violations) that is ancillary to the incident.
6. To attend in person or via videoconference any hearing in which they are the Complainant and to be situated in a different room from the Respondent during the hearing if so desired.
7. To receive written notification of the outcome/resolution of the Complaint, including a statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. To have Complaints heard in substantial accordance with these procedures.

A Respondent has the right:

1. To be treated with respect by University officials.
2. To experience a safe living, educational, and work environment.
3. To take advantage of campus support resources (such as Counseling and Psychological Services, the Office of the Chaplains, and University Health Services for students, or EAP services for employees), and to receive courteous, fair and respectful treatment.
4. To decline to have an allegation resolved through informal resolution procedures.
5. To receive amnesty for minor student misconduct (such as minor alcohol violations) that is ancillary to the incident.
6. To attend in person or via videoconference any hearing in which the Respondent is charged and to be situated in a different room from the Complainant during the hearing if so desired.
7. To receive written notification of the outcome/resolution of the Complaint, including a statement detailing the factual findings supporting the determination and the rationale for the sanction imposed.
8. To have Complaints heard in substantial accordance with these procedures.

XVIII. Training Requirements

The University will ensure that all employees receive annual training on:

- the University's obligation to address Prohibited Conduct in its education program or activity;
- the scope of conduct that constitutes Prohibited Conduct under Title IX and University policy, including the definition of Sexual Harassment; and
- all applicable notification and information requirements with respect to reports of Prohibited Conduct and when an employee is informed that a student is pregnant or experiencing a pregnancy-related condition.

The University will ensure that Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process or has the authority to modify or terminate supportive measures, receive training on the following aspects of the policy:

- the University's obligations to respond to under Title IX and other relevant laws;
- the University's formal and informal resolution processes;
- the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance in the formal resolution process;
- the effects of trauma;

- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- the rights of the Respondent (including the right to a presumption that the Respondent is "not responsible" until a finding of responsibility is made).

The University will ensure that decision-makers also receive information on:

- any technology to be used at a live hearing, and
- issues of relevance and impermissibility of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not permissible.

The University will ensure that individuals who facilitate informal resolution process also receive training on:

- the rules and practices associated with the University's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

The University will ensure that investigators also receive training on:

- conducting investigations of Prohibited Conduct, and issues of relevance and how to create an investigative report that fairly summarizes relevant evidence.

Student Pregnancy and/or Related Conditions Policy

This policy applies to conduct that occurs on Colgate's campus or property and in all Colgate education programs and sponsored activities and may apply to off-campus conduct where the alleged conduct is subject to the University's disciplinary authority. This policy and its pregnancy-related protections apply to all pregnant individuals, regardless of gender identity or expression.

If a student who is pregnant or experiencing a pregnancy-related condition has a disability as defined in Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Americans with Disabilities Act of 1990 (the ADA), the student is protected from discrimination under Section 504 and the ADA, as applicable, whether or not the disability is related to pregnancy. If a student is seeking 504 adjustments/accommodations and services, the student must contact the Office of Student Disability Services (OSDS). An employee may have similar adjustments/accommodations options under the PUMP Act, the Pregnant Workers Fairness Act (PWFA), Title VII of the Civil Rights Act of 1964 (Title VII), and the Americans with Disabilities Act (ADA).

If a student believes they have been discriminated against due to pregnancy or a related condition, the student may file a Complaint with the Title IX Coordinator. The University will use procedures under the Student Sexual/Gender-Based Misconduct Policy to address the alleged discrimination.

I. Definitions

A. Parental Status: The status of a person who is a parent, legal custodian, guardian, or in loco parentis of a person under 18, or over 18 if incapable of self-care due to disability.

B. Pregnancy and Related Conditions: Includes pregnancy, childbirth, termination of pregnancy, lactation, related medical conditions, and recovery.

C. Reasonable Modifications: Modifications to policies, practices, or procedures that do not fundamentally alter the University's education programs or activities.

II. Information Sharing Requirements

A student who is pregnant or has a related condition, or a person with the legal authority to act on behalf of such a student, may contact the Title IX Coordinator directly to discuss reasonable modifications, to prevent discrimination and ensure access to the University's educational programs and activities.

III. Reasonable Modifications for Students

Students experiencing pregnancy and related conditions are entitled to Reasonable Modifications to ensure equal access to education programs and activities. These may include changes to schedules, assignments, and course requirements.

Students seeking Reasonable Modifications must contact the Title IX Coordinator to discuss their needs. Modifications will be determined based on individual needs and may include alternative paths to completion for clinical rotations, performances, labs, and group work. In progressive curricular and cohort-model programs, medically necessary leaves may allow students to shift course order or join subsequent cohorts.

Supporting documentation may be required when necessary to determine appropriate modifications. Information about modifications will be shared with faculty and staff only as necessary.

IV. Certification to Participate

Health and safety risks related to participation in activities will be communicated to all students. A student experiencing pregnancy or related conditions cannot be required to provide health certification unless the same certification is required of all students and it is necessary for participation.

V. Rights to Express Breast Milk

The University will provide 30 minutes of paid break time per day as needed for up to three years following childbirth. Student employees must provide written notice of their need for breast milk expression to the Office of Human Resources or the Title IX Coordinator. Additional unpaid time beyond the 30 minutes may be taken using existing paid break or meal time.

The University will not deduct a student employee's paid break time for breast milk expression from their regular paid break or meal time. Student employees can choose to take breast milk expression breaks before or after their regularly scheduled paid break or meal periods.

VI. Lactation Space Access

The University provides students with access to functional, appropriate, and safe lactation spaces. These spaces are regularly cleaned, shielded from view, and free from intrusion.

Students wishing to request a lactation room must provide reasonable advance notice and submit a written request to the Office of Human Resources or the Title IX Coordinator. The University will respond within five business days and notify the student in writing when a room is designated for breast milk expression.

If a student's request for a lactation room poses an undue hardship, the University will engage in a cooperative dialogue with the student.

Lactation spaces are located in Room 460 in Case-Geyer Library. To access the space, you can request the key from the main desk at the library.

VII. Leaves of Absence

Students may take a voluntary leave of absence for a reasonable time deemed medically necessary due to pregnancy, childbirth, adoption, or foster care placement. The leave term may be extended for extenuating circumstances or medical necessity. Students can elect to keep their health insurance coverage and continue residing in University housing, subject to applicable fees.

1. The University will ensure students return to the same academic progress position, including access to the same or equivalent course catalog. Scholarship and funding continuation will depend on the student's registration status and funding program policies. The University will advocate for students with financial aid agencies and external scholarship providers if a leave affects eligibility.

2. To initiate a leave of absence, students must contact the Title IX Coordinator at least 30 days prior to anticipated commencement of the leave or as soon as practicable. The Title IX Coordinator will assist with necessary paperwork.

VIII. Student Parents

Students with child caretaking responsibilities may request academic modifications for up to six months from the time of the child's arrival in the home. Extensions may be granted for medical necessity or extraordinary caretaking responsibilities.

During the modification period, academic requirements may be adjusted, and deadlines postponed as appropriate, in collaboration with academic affairs personnel (including relevant academic advisers and faculty). Students may reschedule assignments, lab hours, examinations, or reduce their course load once authorized.

If caretaking students cannot obtain appropriate modifications, they should alert the Title IX Coordinator, who will facilitate needed accommodations and modifications.

In timed degree programs, students can request extensions for preliminary and qualifying examinations and normative time to degree while in candidacy. Longer extensions may be granted in extenuating circumstances.

Students will remain registered and retain benefits during academic modifications.

IX. Supportive Resources

A. Confidential Support for Students

Any student who is pregnant or has a related condition or is experiencing sex discrimination based on their pregnancy or related condition is encouraged to understand their options and to seek emotional and physical support.

The support options listed below are confidential, meaning they will keep a student's information confidential, including from the Title IX Coordinator, unless the student gives them explicit written permission to share their information. Students may contact:

1. Confidential, On-Campus Support

- Counseling and Psychological Services, located at Conant House, 315-228-7385 or for an after-hours emergency, call Campus Safety at 315-228-7333 and ask to speak with the counselor on-call.
- Student Health Services, 140 Broad Street, 315-228-7750.
- Office of the Chaplains, located on the garden level of the Memorial Chapel, 315-228-7682.

2. Confidential, Off-Campus Support

- Community Memorial Hospital, 315-824-1100, 150 Broad Street, Hamilton, NY.
- The New York State Department of Health - Women's Health website: for more information, see: health.ny.gov/community/adults/women
- Your own medical or mental health provider.

C. Non–Confidential Resources for Students

Any student who is pregnant or has a related condition or is experiencing sex discrimination based on their pregnancy or related condition is encouraged to understand their options and seek resources. The below resources are private but not confidential, meaning that they may share information you disclose, but only on a need-to-know basis, with other University officials and offices to prevent sex discrimination and to identify and provide reasonable modifications. Students may contact:

Non-Confidential, On-Campus Resources:

- The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161

- Title IX Coordinator
  The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161
  TitleIX@colgate.edu

- Title VI Coordinator
  Associate Provost for Equity and Diversity
  The Office of Equity and Diversity
  102 Lathrop Hall
  Colgate University
  13 Oak Drive
  Hamilton, NY 13346
  315-228-6161
  directorDE@colgate.edu
- **Any Prohibited Conduct Resource Group (PCRG) member**
- **Any Discrimination and Harassment Team (DHT) member**

X. Parental, Familial, or Marital Status

Colgate University will not adopt or implement any policy, practice, or procedure concerning the current, potential, or past Parental, familial, or marital status of a student or applicant that treats a person differently on the basis of sex.

Any student or applicant who believes they have been discriminated against due to their Parental, familial, or marital status is encouraged to understand their reporting and confidential support options. Please see the confidential, on-campus support options and the on-campus non-confidential resources listed in this policy to learn who to contact to learn more about your support and resource options.

Additional Information

Campus Safety Emergency
x7911 (from on-campus phones)
315-228-7911 (from off-campus or cell phones)

From a non–University telephone, dial 228, then the extension. From a cell phone, dial 315-228, then the extension.

Campus Safety (Non-emergency)	**x7333**
Counseling and Psychological Services	**x7385**
Haven	**x7385**
Dean of the College Office	**x7425**
Dean of the Faculty Office	**x7222**
Human Resources	**x7411**
Residential Life	**x7367**
Student Health Services	**x7750**
Title IX Office	**x7014**
Office of Equity and Diversity	**x6161**
Hamilton Police	**315-824-3311**
Community Memorial Hospital	**315-824-1100**
Community Memorial Hospital Emergency	**315-824-6090**
Liberty Resources (24-hour hotline)	**315-366-5000**
Vera House (24-hour crisis & support line)	**315-468-3260**

Dean of the College
103 McGregory Hall
315-228-7425
deanofthecollege@colgate.edu

Campus Safety
315-228-7333
cusafety@colgate.edu

Emergency Management
315-228-4087

Fire Safety
315-228-6531

Colgate University
13 Oak Drive, Hamilton, NY 13346

COLGATE UNIVERSITY

13 Oak Drive, Hamilton, NY 13346
colgate.edu
deanofthecollege@colgate.edu