

# Fredonia 2018-2019

Property of: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

In case of emergency, please notify:

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

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2880 U.S. Hwy. 231 S. • Lafayette, IN 47909 • 765.471.8883  
<http://www.schooldatebooks.com> • [sdi@schooldatebooks.com](mailto:sdi@schooldatebooks.com)

# **OFFICE OF RESIDENCE LIFE**

## **VALUES AND MISSION**

### **OUR VALUES**

- Diversity, Equity, Inclusion, and Social Justice
- Community Engagement and Connections
- Accountability and Ethical Decision Making
- Care for Self and Others
- Supporting an Academic Environment
- Leadership
- Respect and Civility

The Office of Residence Life strives to provide a comprehensive residence life program as an integral part of the educational program and academic support services of the institution. The residence life program is committed to providing opportunities for personal growth and development and supports the educational mission of the college by providing facilities and programs to assist students in developing mutually supportive relationships in order to live, work and learn with people of diverse backgrounds and individual differences.

# OFFICE OF RESIDENCE LIFE

## ON-CAMPUS LIVING GUIDE

### WELCOME

The Residence Life staff is looking forward to providing you with an environment that is intellectually, socially and academically stimulating. As a member of our community you bring your own special qualities and interests, and hopefully you will enhance the residence life community by being an active participant. One of the first contacts you will have with the residence life staff is your Resident Assistant. RA's are typically upper level students who have been selected based upon their understanding of college life and their sensitivity toward their fellow students. They will assist and encourage you throughout your time on-campus.

For many of you this will be your first experience living away from home. While living in the residence hall you will be encouraged to develop a cooperative and responsible attitude toward your hall and the entire college community. The information which follows is provided as a guide, but do not be afraid to seek out your RA or Residence Director (RD) as additional "guides."

I welcome you to campus and look forward to assisting you.



Kathy Forster  
Director of Residence Life

## **RESIDENCE HALLS**

Fredonia is composed of a variety of residence halls in corridor and suite configurations, all of which have a 24-hour intervisitation policy. Each hall is home to a staff that will provide programming and offer a warm, caring atmosphere conducive to educational and social growth.

We offer three single gender halls for first-year students. The residence halls for women include: Alumni (corridor), Kasling (suite) and the hall for men is Chautauqua (corridor.)

The co-educational halls include: Disney (suite), Eisenhower (suite), Hemingway (suite), Grissom (suite) Hendrix (suite), Igoe (suite) McGinnies (corridor), Nixon (corridor), Schulz (suite). Kitchen Suites: We have a limited number of three- bedroom suites including a full kitchen are available to upper level students in Disney and Eisenhower halls.

Gregory Hall (corridor) and University Commons (suite) are co-ed, independent living halls (ie: guests do not sign in) and restricted to upper level students. University Commons consists of 124-premium spaces, featuring single and double rooms. Every two rooms share a bathroom & each room is equipped with heat and air conditioning which can be controlled in the room.

University Village Townhouse apartments offer an independent living experience for upper-classmen. Each townhouse has four single rooms, laundry facilities, kitchen area and living room area. Every two rooms share a bathroom & each room is equipped with a full sized bed.

All residence halls are locked on a 24-hour basis. Residents are provided with electronic door access, and their guests must be escorted at all times.

### **RESIDENCE LIFE STAFF**

The Residence Life staff is dedicated to providing essential services for resident students and fostering an environment that promotes personal and community development. We look forward to your participation and good citizenship.

### **RESIDENCE DIRECTORS**

Each residence hall is supervised by a Residence Director (RD) who either has achieved or is working towards a Master's degree. The RD is responsible for establishing an environment that fosters the academic and personal growth of resident students. They promote educational programs, provide personal counseling and referrals, maintain consistent behavioral expectations for residents, and supervise the Resident Assistants (RA's.)

### **RESIDENT ASSISTANTS**

Resident Assistants carry out a wide range of functions that benefit resident students and the overall residential community. RA's provide peer counseling, sponsor educational and social programs, enforce rules and regulations, serve as a referral resource and generally assist in the operation of the residence hall.

### **ADMINISTRATIVE STAFF**

The administrative staff includes the Director, Associate Director, Assistant Director, Agency Program Aide, and ResNet Coordinator. Collectively they are responsible for housing administration, staff hiring, training and supervision, purchasing furnishings and supplies for the residence halls, information systems, inventory control, and budget management. The Office of Residence Life is located on the first floor in Gregory Hall.

### **RESNET STAFF**

The ResNet Office is an Information Technology helpdesk that provides services and support for students, staff and guests living in the residence halls. The primary services provided include dedicated high-speed Ethernet (Internet) network connections and wireless service, primarily for academic use, to students living in the residence halls. The administrative staff includes the Residential Technology Coordinator, and student ResNet Technicians. The staff works closely as a team to facilitate computer and network support calls as well as other projects throughout the year. ResNet services and hours are outlined elsewhere in this document. The ResNet office is located on the first floor of McGinnies Hall.

## **FACILITIES STAFF**

The maintenance, cleaning, and repair of the 14 residence halls is a huge task. While all residents are responsible for conditions within their rooms and common areas, facilities staff provides regular cleaning of public areas and routine repairs throughout the residence halls. Much of the quality of life that develops within the residence hall community is due to the efforts of our custodians, cleaners, plumbers, electricians, carpenters, and others.

## **RESIDENCE LIFE POLICIES, PROCEDURES & SERVICES**

### **ALCOHOL**

No one under 21 years of age may consume or possess alcoholic beverages. Hosts are responsible for all of their guests, including those who are under 21 years of age. Students who are over 21 may not consume alcohol in the presence of anyone under 21 other than their roommate. Individuals who are under the age of 21 may not be present where alcohol is being served or consumed other than as set forth by the aforementioned regulation. Residence Life prohibits the use or possession of alcohol paraphernalia including but not limited to, beer pong tables, funnel apparatus, alcohol container displays/collections, etc. Refer to the Student Rights and Responsibilities section of the On-Campus Living Guide for the complete Alcohol and Drug Policy.

### **BICYCLES**

Bicycles should be stored in bike racks located near the residence halls. Bicycles may not be chained to railings, left in lounges, stairwells, public areas, loading docks, student rooms, or stored anywhere that would hamper the exit of residents during an emergency. Bicycles in violation of these codes may be removed from the premises for safety reasons.

### **CABLE TV**

All rooms in the residence halls are wired for digital cable TV, provided as part of the room rate. You are responsible for bringing your own television and coaxial cable. The cable service includes the major networks in addition to music, sports, movie, news and educational channels for your enjoyment. In order to view these channels, the television must have a digital cable TV tuner capable of receiving Clear QAM signals and perform a complete channel scan using the television's setup menu. Cable and audio accessories can be purchased in the University Bookstore.

### **COOKING IN RESIDENCE HALLS**

Residents who wish to cook their own meals must live in a designated building with kitchen facilities. All on-campus residents must select resident meal plan through FSA if they are residing in non-kitchen suite residence halls. Seniors, townhouse residents, and residents of Disney & Eisenhower kitchen suites are not required to maintain a meal plan; however, they may choose any plan.

### **COOPERATION/COMPLIANCE WITH STAFF**

Residents and their guests must cooperate with and show respect for University personnel who are acting in the performance of their duties. This includes, but is not limited to, interactions with all housing staff (professional and student staff), FSA and University Police. Examples of violations of this policy include providing false information, withholding information, interfering with staff while they are performing their duties, noncompliance with verbal or written directives or sanctions, and abusive language or exhibiting abusive behavior toward staff.

### **DAMAGE OF UNIVERSITY AND COMMUNITY PROPERTY**

Students are held responsible for damage beyond normal wear to the room, public areas of the residence hall and college provided furnishings. Pre-announced inspections are made during the academic year for the purpose of checking on cleanliness, safety, and use of university property. Appropriate charges will be assessed based on conditions found at the time of inspection. Students should be aware that the use of tape, thumbtacks, or removal of screens may incur charges. The building Hall Council may be held collectively responsible for damage occurring in common areas.

Damage to property is costly. It affects housing costs, how others view your living space, and takes time away from regular repairs. While repairs are being made to vandalized items, general repairs may have to take lower priority. By being involved as a responsible community member, you can assist in the investigation of damages in your living environment. Community members can contribute to their area by helping to monitor and report vandalism. If residents are not able to resolve escalating incidents, administrative action may be taken. When responsible parties are identified, judicial action and restitution will be required.

## **DECORATIONS**

All decorations must be of non-flammable/fire-retardant materials and may not cover or block exits, exit signs, elevators, lights, fire panels or fire extinguishers. Decorations should not be attached to any fire safety equipment, including smoke detectors and sprinklers. No attachments can be made to the exterior of buildings without prior approval. All decorations must be U.L. approved.

Curtains, draperies, tapestries, flags and other decorative materials suspended from walls or ceilings shall be flame resistant in accordance with NYS Fire Code §F805.2 and NFPA 701 or be noncombustible. Combustible decorations shall be flame retardant unless the decorations, such as photographs and paintings, are of such limited quantities that a hazard of fire development or spread is not present. For further clarifications on decorations and the use of surge protector power strips, please contact the Environmental Health and Safety Office at (716) 673-3796.

## **DRUGS**

All students should be aware that, "Pursuant to the order of the Chancellor of SUNY, the illegal use of narcotics and/or dangerous drugs on campus is expressly forbidden." Residence Life prohibits the use or possession of drug paraphernalia including but not limited to, pipes, hookahs, bongos, rollers, spoofs, water pipes, smokeless cigarettes, etc. Any student known or suspected to be in the possession of, using or distributing drugs or drug related paraphernalia is subject to disciplinary action and criminal action under campus regulations, as well as state and federal law.

## **ELECTRICAL APPLIANCES**

All electrical appliances such as lamps, coffee pots, and televisions must be U.L. approved. No heating or cooking equipment, with the exception of small microwaves, should be used in student rooms for reasons of safety, health, and sanitation. Due to the fire risk associated with inexpensive extension cords, please use power strips with a fuse or breaker that trips if overloaded, and be sure it is UL listed.

The following electrical appliances are prohibited from use in student bedrooms: air conditioners, space heaters, halogen lamps, multi-arm lamps with plastic shades, hot plates and other cooking appliances including but not limited to toasters, ovens, hot pots, corn poppers, etc. Refrigerators must comply with the following standards: maximum size 4 cu. Ft.; U.L. approved; hermetically sealed, service free cooling system; and a drawing power of 4/10 of an amp when running.

## **ELECTRONIC CARD ACCESS**

Fredonia provides a state of the art electronic door access system for the residence halls. This system provides a level of security for on-campus residents by facilitating and managing iclass card readers, motion detectors, contacts and alarms on most exterior doors. Students may enter their respective residence hall by presenting their FredCard to an electronic door access card reader located on the exterior near the door. All of the doors with the exception of the front doors are alarmed from the hours of 9:00 p.m. to 7:00 a.m. daily. This is to provide a layer of security in the evening hours by having all students use the main entrance and requiring guests to be signed in the front desk. Call boxes near the door access card readers enable residents that do not have access to the given building to call the front desk or a student residing in the residence hall to come and let them in.

## **EMERGENCY**

In the event of an emergency, move to a safe location and contact University Police at (716) 673-3333 and the Residence Life staff immediately. In a medical emergency call University Police at (716) 673-3333 from any campus telephone.

## **ENTERING STUDENT ROOMS**

In the interest of maintaining the residence halls as environments that provide for the health and safety of all residents, it is occasionally necessary for the residence hall staff to exercise its contractual right to room entry. Rooms, suites, bathrooms and kitchens may be entered in order to complete repairs, pest control, or for the annual fire inspection (see Fire Inspections for notification guidelines).

No student room shall be entered without first knocking and allowing the occupants sufficient time to open the door. In the absence of occupants or failure to open the door, the room shall be entered by the residence staff and/or emergency personnel only when evidence exists that the health and welfare of the residents may be endangered or if an alarm is sounding.

## **FIREARMS**

No student may keep any hunting equipment such as bows and arrows, rifles, shotguns, pistols, or other firearms in his/her residence hall room or car. Students must register and leave such items with the University Police Office immediately upon entering campus grounds.

## **FIRE ALARMS/SAFETY**

The State of New York recognizes its responsibility to promote fire safety awareness and requires all state buildings to conduct a minimum of one fire drill per semester. Please cooperate and leave the building whenever the alarm sounds. Failure to do so will result in disciplinary action. If you do not leave the residence hall, you not only endanger your life, but the lives of the people who would be attempting your rescue. When the alarm sounds, regardless of the time of day or night, you should immediately leave your room, exit the building and proceed to the meeting point as instructed by residence life staff. Failure to cooperate in fire evacuation procedure is punishable under criminal law.

Tampering with fire equipment is a criminal offense. Persons apprehended may be prosecuted in the criminal court. Caution: candles, incense and other open flames or long burning embers are a fire hazard and therefore prohibited. Damage caused is the responsibility of the student(s) found responsible.

## **FIRE INSPECTIONS**

Every building on campus is inspected annually by a New York State Fire Marshall. These announced inspections include all residence hall buildings. Areas inspected include all hallways, common areas, custodial closets and a percentage of individual student rooms. Notices will be posted no less than 24 hours in advance and students do not need to be present for inspection.

## **FIRE SAFETY EQUIPMENT**

It is against University regulations as well as federal and State laws, to tamper with any of the following items:

- sprinklers
- smoke alarms & heat detectors
- fire alarm systems
- fire hoses
- fire extinguishers
- pull stations
- fire doors
- elevators
- door/hardware/closing mechanisms

## **FITNESS CENTERS**

The Aerobic Center and Wellness Center membership cost is included in the room rate. The Aerobic Center is located in the lower level of Hemingway Hall. There are many motivating fitness classes to choose from each week. Experienced instructors design their classes to assist beginners and challenge the avid fitness enthusiast. We typically offer high energy classes such as Cardio Kick, Kickboxing, Body Shaping, Zumba, etc., though class offerings do change. For more information, call (716) 673-3121.

The Wellness Center is located in the lower level of Schulz Hall and provides nautilus, free weight and cardiovascular equipment. The Wellness Center is open regularly with posted hours. The Blue Devil Fitness Center is located in Dods Hall.

## **GAMBLING**

Gambling of any kind is not permitted in the residence halls.

## **GUEST POLICY**

All guests must call residents to gain access to the residence halls 24 hours a day. Beginning at 9:00 p.m. until 7:00 a.m., all guests must register at the main desk and present picture identification. Parents and guests under the age of 17 may visit with proper supervision, but **cannot** spend the night.

The host is responsible for the conduct of the guest and must escort them at all times while they are visiting. Overnight guests typically should not stay more than two to three consecutive nights, or multiple weekends. Remember, having guests in your room is a privilege; be considerate of your roommate and your fellow residents.

## **HALL COUNCIL**

Hall Council is the student government within each residence hall. Hall Council programming, activities and equipment is made possible through residence hall dues. The budget for each building is determined by the number of residents who pay \$20 hall dues each year. The Hall Council then decides how to spend their funds. Input from all residents helps in this decision making process.

Participation in Hall Council is very important. Activities planned by the Hall Council include hall dinners, theme parties, guest speakers, health awareness programs, study breaks, and skill-building workshops. This organization represents only one of the many ways to get involved in campus living.

## **HALL PROGRAMS AND ACTIVITIES**

Getting involved in programs and activities is quite easy while living in the residence halls. RA's, Residence Hall Association (RHA), and Hall Council coordinate educational programs and social activities. Assuming a leadership role in the planning and implementation of programs is a challenge that provides hard working students with experience for their professional resumes. The best way to learn about programs and activities is to attend the regular meetings of your Hall Council and by talking to your RA.

## **HOUSING LICENSE & AGREEMENT**

By completing the online application, all students living on-campus agree to the *Housing License & Agreement*. This agreement is for a space, not a specific room. The Housing License is for the entire academic year and cannot be canceled during this period as long as the student is registered full-time for classes. Students will be released from the agreement only upon withdrawal from the University (graduation, student teaching, study abroad), marriage or situations beyond a student's control. A \$350.00 fee will be assessed only for **approved** terminations of the Housing License & Agreement. *University Policy states that students within their first two years post high school, regardless of credit hours, are required to live on campus.*



## **INSPECTIONS**

Duly authorized representatives of the University may enter student rooms for the purpose of inspection or maintenance. If a room is entered for the above reasons, 24 hour advanced notification will be provided. University officials entering for the purpose of an official search will require that the occupants be present. Suite areas, including kitchen suites, are considered common space and are open to inspection at all times. When in the best interest of the resident(s), or a threat to the health & safety welfare of a student, duly authorized staff will enter student rooms whether or not occupied. The Office of Residence Life is genuinely concerned about the right to privacy. All residents are required to maintain reasonable standards of cleanliness within their rooms, and failure to do so may result in cleaning charges and/or termination of their housing license.

## **INTERVISITATION POLICY**

There is 24 hour intervisitation in all 14 residence halls and University Village Townhouses. Intervisitation is the practice of allowing a resident to have a visitor within his/her immediate living area at any time of the day or night, any day of the week. Intervisitation is a PRIVILEGE and should not be abused. The privilege is not intended to be used in such a manner as to infringe upon the rights of your roommate or other residents within the hall, provide an unauthorized residence for a visitor, or bring about a situation which is of concern to the residence hall staff. Overnight visitors typically should not stay more than two to three consecutive nights, or multiple weekends. Be considerate of your roommate and your fellow residents.

Non-residents (visitors) must register at the main desk in each hall beginning at 9:00 p.m. until 7:00 a.m. in all halls except Gregory Hall, University Commons and University Village. The host is responsible for the conduct of the visitor or guest and must escort them while in the building regardless of the time. Visiting parents and guests under the age of 17 must follow the **Guest Policy**.

## **KEYS**

Upon registration at the residence hall, each resident is issued a room and mail-box key (if necessary). The replacement fee is \$30.00 for each key. Any resident who fails to return keys when they withdraw from the hall will be billed for each key and for costs associated with replacement of lock cores. Unauthorized possession or use of a sub/master key is considered a serious offense and can result in disciplinary action. See lock-out policy for more information on lock-outs.

## **LAUNDRY**

Laundry rooms are provided in the basement of the suite style buildings, on the first floor of the corridor buildings, on each floor in University Commons and in each townhouse. These rooms are open and available 24 hours a day. Laundry facilities are included in the room rate and require no currency to operate. Availability of the machines can be viewed at [www.laundryview.com](http://www.laundryview.com). These facilities are to be used by resident students only. Students should stay in the laundry room while they are using the machines. The University is not responsible for lost or stolen items.

## **LETTERS OF WARNING**

Some violations of the University Student Code of Conduct and/or Housing Policies may result in a Letter of Warning. If a student receives three (3) Letters of Warning within three (3) consecutive semesters, he or she may have their housing license revoked and will be prohibited from residing in or visiting the residence halls.

## LIABILITY

While every effort is made to provide a healthy and safe environment, the University assumes no responsibility for the personal property of students. This includes damage, loss, theft, fire, water damage, flooding or personal injury. Students concerned over personal property are encouraged to obtain liability insurance to cover any losses. Residents should review their families' homeowner's/renter's insurance policy to determine coverage needs. The University does not carry insurance on residents or on their property.

## LOCK-OUT POLICY

In order to help students with a safe and secure environment, each student is issued an individual room key. It is required that students not lend, duplicate or give keys to any other student. It is also expected that students carry issued keys with them at all times. It is advised that students always lock the doors when they or their roommates are not in their assigned rooms. If students misplace or lock assigned keys in their rooms, the Resident Assistant staff, if available, will assist as outline below.

1. If the RA is on duty, please go to the RA office or call the RA on duty. The RA on duty will unlock the student's room at the first available time. If the RA is busy completing assigned duties, the person who is locked out may need to wait a reasonable period of time. It is expected that the RA will advise the student when they will be available to complete the lock-out procedure.
2. If there is no RA on duty, please contact the floor RA to see if they are available (as determined by the RA) to unlock the student's door. (If the RA is on their way to class, for example, the student will need to find another RA to assist.
3. RAs are allowed to unlock rooms only for the assigned occupant(s). Fredonia ID is required if the student is not personally known to the RA.
4. RA will file a report of the lock-out in the hall's Lock-Out Log.
5. A student will be assisted by the RA as outlined above for two lock-outs. If a third lock-out for a given semester occurs, the student will be required to meet with the Residence Director. A record of this conference will be required and one hour of "Residence Hall Service" as determined by the RD will be assigned. A student who has lost keys will be billed and issued replacement keys accordingly.
6. If lock-outs become a common occurrence for specific individuals', residence hall reassignment may occur. **Students must be responsible to carry their keys at all times and lock their doors.**

This lock-out process has been developed to offer students support and flexibility in regard to residence hall room lock-outs. It has also been developed to remind students of their obligation in regard to protecting themselves and their belongings as well as their roommate and roommate's belongings. It is not an expectation that RAs serve as door attendants for students. RA staff should not be burdened with lock-outs. RAs are available to provide leadership and counsel, to mentor, advise, and help to provide a positive residential community where students can live, learn, and grow. Help us all and help yourself – carry your keys!

## LOFTS

Loft beds are not permitted. The beds in most of the residence halls have the ability to be bunked. Requests may be submitted through the online maintenance request system.

## LOUNGE FURNITURE

University furniture that is provided in common recreational and lounge areas is for public use and should not be removed from these areas. Any student with such items is subject to disciplinary action.

## **MAIL SERVICE**

There is daily US Postal mail service delivery provided to all halls. Roommates will be assigned a locked mailbox in the main lobby of their residence hall. Your mail should be addressed as follows:

Name  
Room Number and Residence Hall  
State University of New York at Fredonia  
Fredonia, NY 14063

Carry your mailbox key with you as mail cannot be handed out over the counter as per Federal Post Office regulations. Packages, special delivery, certified, insured, registered and postage due mail will be held in the residence hall office. Residents in receipt of these items will be notified and may pick up their mail during posted office hours. Students need to produce identification and must sign for these items in person.

Mail delivery is suspended and not forwarded during regularly scheduled breaks. Students must notify correspondence, magazine and newspaper companies six weeks before leaving school for the summer or for extended periods with change of address to ensure timely forwarding.

\*Guaranteed express or other timed early delivery packages are independent of Fredonia and the front desks are not open 24-hours.

## **MAINTENANCE REQUESTS/FACILITIES SERVICES**

If your room or living area needs some type of reasonable repair (i.e. leaky faucet, damaged shower ceiling, toilet leaks, nonfunctioning electrical outlet, etc.) go to the Residence Life Web Page, [students.fredonia.edu/reslife/](http://students.fredonia.edu/reslife/) to complete a Maintenance Request Form found under the Services/Facilities - Assistance link.

Occasionally repairs necessitate entering student living areas adjacent to or in the vicinity of an on-going issue. Rooms, suites, bathrooms and kitchens may be entered in order to complete repairs, for pest control, etc. Every effort will be made to give advance notice but in the case of an emergency repair or to avoid further damage, proper procedures will be followed (see Staff Entering Student Rooms).

## **MEDICAL ACCOMMODATIONS**

If you require special room accommodations due to a medical issue, please contact The Office of Disability Support Services for Students at (716) 673-3270.

## **MOVE-IN**

The Residence Halls will open on Thursday, August 23rd for new first-year students. All other students can move in on Saturday, August 25, and Sunday, August 26, 2018. All students should report directly to their assigned residence hall between the hours of 9:00 a.m. – 9:00 p.m.

## **MUSICAL INSTRUMENTS**

Practice of musical instruments or the use of amplifiers is prohibited in the residence halls. The music department has practice rooms in Mason Hall for that purpose.

## **PETS**

Fish are the only pets allowed in the residence halls. Tanks cannot exceed 10 gallons.

## **POSTING SIGNS & NOTICES**

Signs and notices may be posted in the residence halls only on designated bulletin board areas. Before posting signs, check with the Residence Director or the Office of Residence Life to see if postings meet university standards. Signs and posters that are hung in unauthorized areas or outdated will be removed. Violators will be held responsible for charges associated with damage and/or removal.

## **QUIET HOURS**

Quiet Hours are in effect in all residence halls from 10:00 p.m. through 7:00 a.m., Sunday through Thursday, and 12:00 a.m. through 7:00 a.m., Friday and Saturday. These hours are set up for the benefit of all students and we ask that you respect the rights of others by observing these hours.

Because priority will be given to study at all times, Consideration Hours are in place 24/7. As such you may be asked to lower the volume by fellow residents or staff at times outside the stated quiet hours with an expectation that you comply. In addition, because of the abundance of rehearsal rooms in Mason Hall, practice of musical instruments is prohibited in the residence halls.

## **RECYCLING**

Within each residence hall, there are designated recycling areas. Students are strongly encouraged to set-up recycling bins within their own residence hall rooms. Students are responsible for transporting recyclable materials from their residence hall rooms to the designated recycling area for each hall. The custodial staff is responsible for the maintenance of the recycling centers and the removal of recyclables from these areas to the relevant collection point.

\*For sanitary reasons, all recyclable plastic, aluminum, tin and glass containers should be rinsed out prior to disposal.

## **REFUNDS**

Students may cancel their *Housing & License Agreement* without penalty prior to July 1. Once occupancy occurs, room refunds (less housing deposit) are made according to the following schedule: 1-7 days in residence 100% refund, 8-50 days in residence 50% refund, 51 days and above in residence 0% refund. Occupancy of a room for a portion of an academic semester obligates the student to payment for the total number of days in the specific room rate type. Rooms are contracted for the full academic year and the refund policy stated above pertains only to withdrawal from the University and not requests to leave university housing.

## **REMOVAL FROM CAMPUS HOUSING**

Students may be asked to leave the residence halls and/or the University if they cannot uphold their responsibilities as laid forth in the *Housing & License Agreement*, the University Code of Conduct and the Residence Life Policies & Procedures. Refunds are not granted for disciplinary removal.

## **RESIDENCE HALL ASSOCIATION (RHA)**

RHA represents the 14 residence halls on issues of concern to all resident students. RHA solicits input from hall councils and is the official policy liaison group recognized by the Office of Residence Life. RHA is invited to the annual room rate review process and typically a representative from each residence hall attends. RHA meetings are open to any and all resident students regardless of voting status.

## **RESNET**

The ResNet Office provides residential technology support and campus access control services for students, staff and guests with in the residence halls. Located in McGinnies Hall, ResNet employs six students every semester as information technology support technicians called ResNet Technicians.

## **SUPPORTED SERVICES**

- Campus Access Control Services
- Internet Service Connectivity Support
- University Owned Printer Support
- University Owned Computing Software Support
- Personal Computing Device Repair
- Residence Life Multi-media Equipment Reservation & Checkout
- Residence Life Smart Classrooms
- Residence Life Event Management Digital Signage
- University Owned Computing Hardware Support
- Student Printing Service

## **REQUESTING ASSISTANCE**

By email: [resnet@fredonia.edu](mailto:resnet@fredonia.edu)

By phone: (716) 673-3668

In person: 154 McGinnies

Website: [home.fredonia.edu/its/resnet](http://home.fredonia.edu/its/resnet)

Semester Hours: Monday - Friday 8:30am - 5:00pm

Summer Hours: Monday - Friday 8:00 am - 4:00 pm

The Fredonia Networks (wired/wireless) are primarily meant for academic use. It is highly recommended that all campus wireless network users utilize the FREDsecure service for online financial services (i.e. banking), online shopping and any official campus e-service (OnCourse, FredMail, YourConnection, etc.).

The Fredonia wireless service complements our high speed wired Ethernet service and is not meant to be a substitute. As such, all students, staff/faculty and guests that reside in the residence halls have a dedicated high speed Ethernet port available to them in their individual rooms. This high speed Ethernet port is recommended for use if you are using applications that utilize large amounts of bandwidth (i.e. streaming video, gaming, video conferencing and large file transactions). Ethernet cables are given to on-campus students once per academic year from the ResNet Office or can be purchased at the FSA bookstore and other stores in the area.

All network users are bound by the Fredonia Computer and Network Usage Policy, found here: [home.fredonia.edu/its/computer-network-policy](http://home.fredonia.edu/its/computer-network-policy)

## **ROOM CHANGES**

Room changes are permitted, with approval (based upon space availability), typically beginning after the 2nd week of classes. This time frame allows students to acclimate and familiarize themselves with their roommate, with college and

their new environment. If a student desires to change a room or roommate, the proper paperwork may be obtained from the Residence Director in the hall in which the resident currently resides. Prior to a room change there is normally some mediation that takes place since sharing a room can be a challenge. All room changes typically cease before the last two weeks of classes. Students may check in or out in performance of a room change during posted staff office hours unless otherwise pre-arranged with the Residence Director.

\*Due to administrative and fairness issues, room changes prior to the start of the semester will not occur. Online social networking sites are not a valid basis for requests due to the exaggerated nature inherent within them.

## **ROOM CONSOLIDATION**

Students who are not contracted for a single room and who do not have a roommate must accept a new roommate if one is assigned to them. The Office of Residence Life reserves the right to consolidate residents to other assignments for the purpose of more efficient space utilization. During the semester, Residence Life will reassign residents who occupy a double room alone within their own building to create empty rooms for those wishing to reserve single accommodations. Refusing to move or otherwise not cooperating with the consolidation process may result in single room rates being applied until the next semester.

## **ROOM DECORATING**

Decorations on the walls make your room more like home, but we ask your cooperation in following the procedures when decorating your room. Failure to follow these guidelines may result in damage charges upon checkout from the residence hall. All pictures, bulletin boards, posters, shelves, and other decorations must be hung in the wall slots or on the borders provided. Do not place decals or adhesive plaques on doors, walls and woodwork or vinyl. Students should be aware that street signs, traffic signs, construction signs, etc., that have been illegally obtained are not permitted in student rooms and will be removed and in some cases charges may also be filed. (See **Decorations** for further information)

## **ROOM INVENTORY**

The condition of your room and its furnishings should not change beyond normal wear and tear during your occupancy. Your RA will help you plan how to personalize your room without violating University policy (i.e. avoiding nails in walls, egress issues). Be sure to review your Inventory Condition Record carefully before you authorize it with your signature. You will be held financially responsible for any damages that occur. Residents are charged if university furniture is moved in or out of a room without prior authorization from the Residence Director or if there are any deficiencies in the room inventory at check out. Please take proper care of your room furnishings. Also, please be aware that if damage occurs in public areas, either the individual (if known) or the group in the immediate living area will be charged. The Hall Council may be held collectively responsible for the damage occurring in the common areas.

## **ROOM OCCUPANCY AND USE**

The residence halls will be available for occupancy no later than 24 hours prior to the start of classes at the beginning of each semester or returning from scheduled breaks. The halls will close no later than 9:00 a.m. the day following class dismissal for scheduled breaks within the semester. The residence halls close and all students should plan to vacate for Thanksgiving Break, Semester Break, and Spring Break.

During finals week, all students must vacate their rooms immediately after their last examination with the exception of those graduating. Graduating seniors will vacate their rooms immediately after graduation exercises. Students withdrawing from school during the semester must vacate their rooms within 24 hours of the date of withdrawal. Special requests will be considered by the Director of Residence Life. Additional housing rates will apply for J-Term, May term and summer housing academic periods.

## **ROOM SPECIFICATIONS AND FURNITURE**

Corridor style rooms

- Floor – 12’10” wide x 12’9” long
- Window – 6’9” wide x 5’4” high

Suite style rooms

- Floor – 10’10” wide x 13’4” long
- Window – 4’ wide x 7’2” high

University Commons

- Double Floor – 12’10” wide x 13’ long
- Single Floor – 12’11” wide x 10’ long
- Window – 5 ½’ wide x 4’7” high

Homemade furniture (i.e. loft beds, etc.) is not permitted due to fire safety. Any equipment made of 2”x 4” wood, etc., should not be brought to campus.

Residence hall rooms are designed for double occupancy and are furnished with closets, individual bed, dresser, desk and desk chair. Students must supply their own blankets, pillow, bedspreads, rugs, fire safe draperies and desk lamps. All furniture that comes with the room must stay in the room, as storage space is limited.

## **SINGLE ROOMS**

Single rooms may be requested, however, they are not guaranteed due to space constraints. Residents who accept a single accommodation will be assessed a housing charge based on approved rates. Please note that all furnishings should remain in the room.

## **SMOKING POLICY**

Fredonia’s residence halls are smoke free. As of January 2014, Fredonia became a tobacco free campus. As such the use of any tobacco product will be prohibited. It will be the responsibility of all members of the University Community to comply with the tobacco free policy.

## **SOLICITATION AND DISTRIBUTION**

Solicitation and sales by residents and other persons in the residence halls are strictly prohibited. This includes but is not limited to distribution of materials delivered to individual student room.

## **SPECIAL INTEREST HOUSING**

Substance Free Living provides like-minded, upper class students with a living option free of alcoholic beverages, tobacco products, and other drugs.

The Honors House is a Living-Learning Community for first year students in the Honors program. This house exists to expand the classroom experience by integrating learning through campus and community engagement.

Gender Inclusive housing provides a living environment welcoming to all gender identities and is not limited by the traditional gender binary. This environment allows for same-gender, opposite-gender, non-gender or other-gender identities to live as roommates regardless of biological gender in a platonic environment in which they feel safe and supported; it is not intended for romantic cohabitation. The bathroom will have no gender designation and will be shared by all members of this community.

## **STORAGE**

Luggage rooms are minimally available in each residence hall for limited storage during the academic year only. Storage is not available during the summer months. Your name, university address and home address should be clearly affixed on all sides of the items you place in storage. Cardboard boxes cannot be stored. The University cannot assume any responsibility for any loss or damage to items left in storage. All items left in storage after the spring semester will be disposed of during the summer months.

## **TRASH REMOVAL**

This is your “home away from home” so please treat it with the same degree of respect you have for your family home. Whenever large numbers of residents live together, their trash becomes a target for pests. You can help eliminate this problem by keeping your residence hall clean and neat. Use the proper receptacles for disposal of trash and recyclable materials. The residence hall custodial staff will remove trash and clean public lounges, hallways, lobbies, and bathrooms on a regular basis.

## **MINIMUM STANDARDS OF LIVING**

In accordance with the requirements of chapter 416 of the Laws of 2002, the State University Board of Trustees has approved minimum living condition standards, which, along with guidelines developed by the campus, set the following standards for conditions in residential facilities.

### **STANDARD I**

The residence halls shall be constructed and maintained to conform to all applicable safety codes and health standards.

### **GUIDELINES**

1. All furnishings and equipment supplied by the University will meet applicable fire and safety codes and standards promulgated by the State of New York.
2. Each resident’s bedroom will have an operational smoke detector.
3. Student residents are required to adhere to all applicable safety codes and health standards in the use of private equipment and appliances, as detailed in the *Housing & License Agreement*, the University Code of Conduct and the Residence Life Policies and Procedures.
4. Inspection and assessment of the physical facility and its components (i.e., water, heating system) is conducted annually by appropriate personnel in Residence Life. The report of this inspection is distributed to appropriate campus personnel.

## **STANDARD II**

The campus maintenance plan shall provide for regular schedule of cleaning and repair of all common areas in residence halls.

### **GUIDELINES**

1. Cleaning of lounges, hallways, bathrooms, and other common areas used by all residents will occur on a regular basis.
2. Every reasonable effort will be made by the Office of Residence Life to keep residential facilities sanitary and vermin free, and all appliances in good working order or removed from service. Residents will also share in this responsibility.
3. Whenever a question arises about the condition of a particular student bedroom, the RA, in consultation with the RD, will recommend to the Director of Residence Life whether such rooms should be removed from service until conditions are corrected. The Director of Residence Life will make the final determination, and report these spaces as uninhabitable through the annual Utilization Report.

## **STANDARD III**

### **GUIDELINES**

1. Each resident will be provided with adequate room/suite and lounge furniture. As a minimum, except in the case of over assignment, each resident will be provided with a bed, a desk, a light source, a dresser and a closet or a wardrobe cabinet. All such equipment will be clean, sturdy, and of acceptable appearance.
2. The Office of Residence Life assesses the condition of all bedroom furniture during each academic year, and utilizes the target amount recommended by SUNY Central Administration for replacement furnishings. It is the responsibility of all residents to report any maintenance problems to their RA or RD as soon as problems are identified.

## **STANDARD IV**

### **GUIDELINES**

1. All requests for repairs should be reported directly to the appropriate residence hall office, or in the case of an emergency occurring other than during the typical day, through the emergency procedures coordinated through University Police. Should residents have a question about the status of a service request, they may check on that status by contacting their Residence Director.
2. To the extent possible, major rehabilitation or other capital projects will take place at times when residents are not in occupancy. Major construction projects that are disruptive to ongoing programs will not continue during scheduled examination periods. If this is impossible, arrangements will be made to house residents elsewhere.

## **STANDARD V**

### **GUIDELINES**

1. Planned outages that extend for a significant period of time will result in a reduction in the basic housing rate for all affected residents.
2. Should a residential area lose basic service such as heat, hot water, or light, and that loss is an extended period of time, alternate space will be identified, to the extent possible, to accommodate affected residents. Residents will have the option of accepting an alternate space as either a permanent reassignment or as temporary living space until service is restored in their regularly assigned space. Should an entire residential area be without services for an extended period of time, and sufficient space in other areas to accommodate affected residents does not exist, to the extent possible arrangements will be made to find alternative living accommodations for these residents. If this is not possible a portion of the resident's room charges will be credited to their account.



## YOUR HOUSING RIGHTS AND RESPONSIBILITIES

In accordance with chapter 416 of the Laws of 1988, the State University Board of Trustees has directed that all campuses operating residence halls adopt policies relating to the rights and responsibilities of residents. The Trustees also directed that such campus policies be published in student handbooks, or similar publications, and be distributed to residents. The following guidelines for rights and responsibilities of campus residents at Fredonia are intended to supplement principles and policy statements already developed.

The Office of Residence Life supports the 1985 Association of College and University Housing Officers – International (ACUHO-I) Standards for College and University Student Housing (revised 2005). The following paragraphs include these rights and responsibilities. However, these rights carry with them reciprocal responsibilities on the part of the individual to insure these same rights for other residents.

1. The University reserves the reasonable right to enter student living quarters to ensure the health and safety of residents. Rooms, suites, bathrooms and apartments may be entered in order to complete repairs, for pest control, or to investigate when there is a reasonable cause to believe that someone may be in danger or in violation of campus or civil regulations. For purposes of health and safety inspections, Residence Life staff will post notices no less than 24 hours prior to the visit. The Office of Residence Life is genuinely concerned about the right of privacy. Residents who believe that their privacy has been compromised may lodge complaints with the Director of Residence Life.
2. Inspections of rooms, suites and kitchens (where appropriate) for damage will be conducted before residents check out. Prior to the time of their departure, residents will be informed to the extent possible of the cost of room, suite, and kitchen damages. Residence Directors will have copies of the Minimum Price Index. At the time damages are identified, residents will be provided a summary of the typical costs for repair of damages. When residents receive bills for damages they will also receive information about appealing the damage bill.
3. Residents will be held accountable for damages to residence hall property (buildings, equipment and furnishings). Residents have a responsibility to refrain from causing property damage through vandalism or other intentional or reckless misconduct. It is incumbent upon residents to report to the Residence Life staff any situations involving property damage due to vandalism and the names of those responsible. Residents and non-resident students responsible for property damage will be billed for damage and will also be subject to disciplinary action in accordance with the Student Code of Conduct. All monies collected from residents resulting from damages for which they are responsible will be applied, whenever possible, to the repair of that damage within one semester or during the summer recess.

### STUDENTS HAVE THE RIGHT

- To have free access to their living accommodations.
- To expect a regionally competitive price on housing accommodations and food service.
- To written copies of University residence life policies and procedures as well as individual building policies which govern individual and group behavior.
- To respect and safety of personal property.
- To expect safety and security measures be in place for the well being of all.
- To study without interruption or interference, free from unreasonable noise.
- To be free of intimidation or harassment.
- To express themselves creatively within established guidelines either individually or by association with groups.
- To expect enforcement of the *Housing License & Agreement*.
- To direct access of staff who provide assistance, guidance, and support.
- To host guests, within guidelines.
- To equitable treatment when behavior is in question.

- To participate in judicial proceedings to determine appropriate standards of behavior.
- To enjoy individual freedoms without regard to race, gender, national origin, handicap, age, religion, sexual orientation, or political affiliation.
- To participate in student governmental and housing department committees.
- To individual and group educational and developmental opportunities in the living community.
- To participate in self-governance.
- To expect all community members to adhere to the Student Code of Conduct and Residence Life Policies & Procedures.

### **THE UNIVERSITY HAS A RIGHT TO EXPECT**

- Official communications or instructions given by phone, email, letter, or other postings to be read and followed.
- Compliance with reasonable requests made by staff or University officials.
- Timely adherence to room and board payment schedules.
- Individuals to accept responsibility for their actions and behavior as well as those of their guests.
- Students to report violations of rules and regulations to appropriate staff.
- All residents to respect the rights of others.
- Students to contribute positively to the community by participating in educational and developmental activities.
- Good citizenship and civility on campus and within the local community.

### **IMPORTANT CAMPUS PHONE NUMBERS**

**Counseling Center:** (716) 673-3424

**Enrollment and Student Services:** (716) 673-3271

**FSA:** (716) 673-3417

**Health Center:** (716) 673-3131

**Registrar:** (716) 673-3171

**ResNet:** (716) 673-3668

**Student Accounts:** (716) 673-3236

**Student Conduct:** (716) 673-4726

**University Police:** (716) 673-3333

# **STUDENT RIGHTS AND RESPONSIBILITIES (2018-2019)**

## **REGULATIONS GOVERNING STUDENT CONDUCT AND UNIVERSITY STANDARDS OF BEHAVIOR**

Pursuant to the Resolution of the Board of Trustees of the State University of New York, dated May 11, 1967, and Section 356 of the State Education Law, and after consultation with the President, representatives of the faculty, and students, the Council of the State University of New York at Fredonia establishes and promulgates the following regulations covering the conduct and behavior of students. The following rules and regulations were amended in December 2004 and May 2015. They were approved by the College Council and the President of the University in May of 2015.

Attendance at Fredonia is a privilege afforded the student by the State of New York and not a legal right. The determination of a student's fitness to be admitted to the University and to continue as a student has been entrusted by the Board of Trustees of the State University to the President and their staff. The term "student" or "students" include all persons taking or auditing classes at Fredonia, both full-time and part-time, pursuing undergraduate, graduate, or professional studies; matriculated in any University program. Persons who are not officially enrolled for a particular term, but who have a continuing student relationship with the University, are considered "students."

### **GENERAL POLICY**

Students seeking knowledge and understanding also need freedom to inquire and to exchange ideas through discussion, publication and public presentations. These opportunities are basic to education in and for a democratic society. To insure these freedoms, the University requires a community free from violence, threats, and intimidation; protective of free inquiry; respectful of the rights of others; open to change; supportive of democratic and lawful procedures; and dedicated to the rational and orderly approach to the resolution of human problems. In exercising freedoms and in discharging the rights and obligations of citizenship, students must also recognize their responsibilities to other individuals, to the University, to the state and the nation, and to society in general. Orderly and dignified expression and conduct are encouraged.

In protection of these freedoms, the University must establish certain standards of personal and group conduct. The University may apply sanctions or take other appropriate action when the conduct of individuals or groups on or off-campus directly or significantly interferes with the freedom to teach and learn, the safety and health of persons in the community, the maintenance or protection of property, the provision of living accommodations and other services, and the sponsoring of non-classroom activities such as lectures, concerts, athletic events, and social functions.

Counseling, guidance, and rehabilitation are the preferred means for resolving behavioral problems. Although disciplinary proceedings play a secondary role in resolving such problems, violation of the Standards of Behavior listed below may result in privilege restriction, suspension, or expulsion/dismissal.

In the legitimate interest of the University in protecting property and the safety and welfare of specific individuals or the general public, the University President or their designee may temporarily suspend an individual, change a student's residence hall location or remove a student from the residence halls pending a decision by the Director of Student Conduct, the judicial board, or the administrative board.

### **STATEMENT OF JURISDICTION**

The Standards of Behavior and University Policies apply to all undergraduate students, graduate students, and student organizations of Fredonia. The Standards of Behavior primarily prohibits misconduct on Fredonia property, but may address off-campus conduct when the behavior or the continued presence of the individual, in the University's sole judgment, impairs, obstructs, or interferes with the mission, processes, or functions of Fredonia. Students should be aware that Fredonia reserves the right to review and take disciplinary actions based on conduct occurring off-campus and/or between academic periods.

A student's actions may violate civil or criminal laws as well as being deemed a violation of the University Standards of Behavior or University Policies. In such situations, that student may be held accountable by both civil authorities and face University sanction. The University may at its sole discretion, elect to pursue disciplinary action against a student even if criminal charges involving the same incident are pending, have been dismissed, or were reduced.

Students that elect to Study Abroad through the International Education Center will assume dual status as a Fredonia student and as a student of the host institution. Fredonia's Rights and Responsibilities are applicable while the student is studying abroad.

Students who witness serious violations of Fredonia policy, procedures, or Rights and Responsibilities that are potentially harmful to the safety and well-being of others may be charged with a violation or violations if they fail to remove themselves from such situations and/or report the incident to proper authorities.

## **SPECIFIC STANDARDS OF BEHAVIOR (CODE OF CONDUCT)**

Listed below are the specific Standards of Behavior (Code of Conduct). The Code of Conduct is divided into four sections: Personal Identification and Representation; Interference with the Health, Safety, or Rights of Other Persons; Care of University or Personal Property; and Demonstrations by Groups or Individuals.

Alleged violation of any of the following may result in charges being filed against a student or organization.

### ***1. Personal Identification and Representation***

Failure to act in accordance with these standards must be treated as a major failure to accept responsibility as a student and make one subject to separation from the community. Prohibited are:

- (a) Furnishing false or incomplete information to University offices, officials, or hearing boards.
- (b) Failing to appear before a University official or conduct board when directed to appear.
- (c) Making, forging, printing, reproducing, copying, or altering any record, document, writing, or identification used or maintained by the University that results in injury, defrauding, or misrepresentation.
- (d) Refusing to identify one's self when directed by an authorized University official. Students are expected to carry their FRED Card at all times.
- (e) Transferring one's own FRED Card to another person for the purpose of that individual obtaining University services or privileges.
- (f) Attempting to obtain or obtaining a University privilege or service to which the student is not entitled.
- (g) Providing erroneous information concerning a change in status concerning financial refunds or financial independence from parents or legal guardian.
- (h) Failing to provide accurate information regarding one's local address, residency, or contact information.

### ***2. Interference with the Health, Safety, or Rights of Other Persons***

All members of the University community share the responsibility for protecting and maintaining community health, safety, and the rights of other persons. Students are required to obey the statutes and laws of the nation and the state, as well as the ordinances and laws of the village of Fredonia, city of Dunkirk, and the towns of Pomfret and Dunkirk. Conviction of a violation of such laws, statutes, or ordinances may be grounds for suspension or expulsion/dismissal. The following conduct is prohibited:

- (a) Failing to comply with reasonable directions of University or town officials (This includes, but is not limited to faculty, staff, Residence Director, Resident Assistant, security, safety, or fire officials, or police officers carrying out properly assigned responsibilities).
- (b) Failing to comply with the final decision of a conduct board or administrative action.

- (c) Misusing safety equipment including but not limited to tampering with fire equipment, fire alarms, exit lights, refusal to obey a fire alarm, initiating a false fire alarm, submitting a bomb threat, activating emergency phones, sprinkler systems, or propping doors open.
- (d)
  - 1) Fighting and threats to, physical abuse of, harassment, assault, or any other action which threatens to or does endanger the health, safety, or welfare of a fellow student, a member of the University community, a campus guest, or community member.
  - 2) Engages in or threatens to engage in behavior which poses imminent danger of causing substantial harm to a fellow student, a member of the University community, a campus guest, or community member.
  - 3) Obstructing or disrupting the teaching, administrative, or public service functions of the University.
  - 4) Obstructing or disrupting disciplinary proceedings or authorized University activities.
- (e)
  - 1) Engaging in any action or situation which endangers or causes substantial harm to the mental or physical health of a fellow student, a member of the University community, a campus guest, or community member.
  - 2) Creating a situation that results in severe or pervasive harassment of a fellow student, a member of the University community, a campus guest, or local community. This includes bullying and cyber-bullying.
  - 3) Engaging in any form of hazing, which endangers the mental or physical health or involves the forced consumption of alcohol or drugs for the purpose of initiation or affiliation with any club, team, or organization. This is more particularly described in the University Policy on Hazing.
- (f) Participation in any form of non-consensual sexual intimacy and unwanted physical sexual conduct. This includes sexual violence, sexual harassment, and sexual discrimination and is more particularly described in the University Policy on Sexual Assault.
- (g) Possessing firearms, explosives (including firecrackers), weapons, bb guns, paintball guns, potato guns, blow guns, knives (4 inches or longer or switchblade), bayonets, nunchucks, brass knuckles, and toy guns that look like real guns.
- (h) Illegally using, possessing, selling, or distributing narcotics, stimulants, depressants, hallucinogens, marijuana or its derivatives, or drug paraphernalia. This is more particularly described in the University Policy on Drugs and Alcohol and the Residence Life Policies and Procedures.
- (i) Illegally using alcohol, possessing alcohol, selling or distributing alcohol, or distributing alcohol to minors. This is more particularly described in the University Policy on Drugs and Alcohol.
- (j) Sponsoring or hosting a house party that violates state or local laws, ordinances, or jeopardizes the health and safety of students or others.
- (k) Use of speakers or other sound amplifying equipment without approval as to the time and place from the Office of Enrollment & Student Services, Campus Life, and/or Residence Life.
- (l)
  - 1) Posting of posters, handbills, or notices without permission of the appropriate University official. The Office of Campus Life must approve all postings.
  - 2) Solicitation or vending of any kind is not permitted on campus or in the residence halls, unless permission is given by The Office of Residence Life and/or The Office of Campus Life.
- (m) Fredonia is a tobacco-free campus. Smoking is not permitted. This includes, but is not limited to, cigarettes, cigars, pipes, hookahs, e-cigarettes, etc.
- (n) Ignoring reasonable standards of appropriate behavior, including disorderly conduct.
- (o) Engaging in cheating, plagiarism, or collusion on any examination or on assigned work. This is more particularly described in the University Policy on Academic Integrity.

- (p) Refusing to accept financial obligations incurred as a student enrolled at the University. The University is empowered to refuse to register, graduate, or release records of any student who is delinquent in their obligations to the University.
- (q) Viewing, possessing, or distributing child pornography.
- (r) Counterfeiting or violating copyright laws.
- (s) Illegal or inappropriate use of Fredonia's network or computers. This is more particularly described in the Computer and Network Usage Policy.
- (t) Engaging in unlawful gambling activities under conditions that are contrary to the provisions of state law or any applicable University policy.
- (u) Violating a local, state, federal law, or local ordinance.
- (v) Violating the University's Policy on Bias Crimes/Incidents. This is more particularly described in the University's Policy on Bias Crime Prevention.
- (w) Violating the University's Policy on Non-Discrimination. This is more particularly described in the University's Policy on Non-Discrimination.

### **3. *Care of University and Personal Property***

Maintaining and preserving University grounds, academic buildings, resident and dining facilities, and other associated structures is an obligation of all members of the University community. Similarly, maintaining and preserving personal property is also an obligation. Prohibited are:

- (a) 1) Theft, unauthorized possession of, property belonging to the University, a member of the University community, a campus guest, or community member.
- 2) Vandalism, destruction of, damage to, or inappropriate use of property belonging to the University, a member of the University community, a campus guest, or community member.
- (b) Destruction, mutilation, and defacement of or tampering with books, magazines, library materials or equipment, or computer services or equipment.
- (c) Unauthorized occupancy of or trespassing on University property or facilities, or that of a community member.

### **4. *Demonstrations by Groups or Individuals***

The campus must be open to a free exchange of ideas and individuals and groups have protected Constitutional rights; therefore, all members of the community are encouraged to conduct dialogues with mutual respect and courtesy. Prohibited are:

- (a) Denying to other students, officials, employees, or invited guests of the University lawful freedom of movement on the campus, lawful use of the property or facilities of the University, or the right of lawful entrance to and exit from any of the University's facilities.
- (b) Impeding the staff or faculty of the University in the performance of their duties, or impeding any student of the University in the pursuit of their legitimate educational or social activities, through the use of restraint, coercion, or intimidation, or when force and violence are presented or threatened.
- (c) Engaging in any intentional overt activity resulting in the obstruction to, disruption of interference with any of the legitimate missions, processes, procedures, or functions of the University.
- (d) Refusing to vacate a building, street, sidewalk, driveway, or other facility of the University when directed to do so by an authorized official.
- (e) Making unnecessary noise or causing noise to be made with objects and instruments, which disturb University functions or community living.

## **COMPLAINTS**

A complaint of misconduct is usually written by a complainant and includes specific allegations or charges of misconduct. The complaint will be discussed with the complainant and the accused during separate interviews. If there appears to be grounds for disciplinary action, it will be addressed through the appropriate procedures. If the complaint is found to be unwarranted or if there is not enough evidence to proceed, the complainant will be so advised. The complaint, relevant evidence and related charges are shared with the accused so that the accused can prepare a defense in the event of a conduct hearing. Faculty, staff, students and community members are encouraged to report incidents of misconduct. Police reports and residence hall incident reports are also used to report violations of University conduct standards.

## **UNIVERSITY JUDICIAL SYSTEM**

The University Standards of Behavior and University Policies are intended to promote student development and ensure an atmosphere of learning necessary to the well-being of all University community members on and off-campus. Violation of University policy off-campus may be subject to disciplinary action by the University student conduct process. The Office of Student Conduct implements the standards and procedures of the Judicial Board.

Any member of the University community may bring a complaint (see Complaints section above) directly to the Office of Student Conduct. The complaint must be written and signed and dated. A review by the Office of Student Conduct will be initiated and if appropriate, charges will be filed. Specific procedures will be followed if a case is referred to the Judicial Board.

If a student is charged with a violation of the rules and regulations, the following options exist: a student may choose an administrative hearing, a judicial board hearing, or an administrative sanction hearing in which a student chooses to plead responsible to the charges and waives the right to a hearing. In such a case, the Office of Student Conduct will impose a sanction.

If a student, club, or organization fails to respond to the letter of charge(s) by the deadline by either pleading responsible or not responsible, Fredonia will assume a plea of not responsible. The case will be sent to an Administrative Hearing and the student, club, or organization will be notified of the hearing date and time at least one week in advance of the hearing. A hold will be placed on the student's record pending the outcome of the hearing. A student hold restricts a student from registering for classes, dropping or adding classes, and obtaining an official transcript. The club or organization in question will have all privileges suspended pending the outcome of the hearing.

## **ADMINISTRATIVE SANCTION HEARING**

In an administrative sanction hearing, the Director of Student Conduct meets with the accused student to hear the case. This option is usually chosen if a student pleads responsible to the charges and accepts the appropriate sanction. This option requires that the student waive their right to another hearing and to the right to appeal.

## **ADMINISTRATIVE HEARING**

The Administrative Hearing body consists of three University faculty/staff. The administrative hearing board hears the case, weighs the evidence and testimony of witnesses, determines responsibility or non-responsibility of the accused and makes a sanction recommendation. The accused student will be determined responsible or non-responsible by the preponderance of the evidence. Preponderance of evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that the act in question did occur or that the fact or proposition is true.

## **JUDICIAL BOARD HEARING**

The Judicial Board is comprised of a pool of at least twelve members. Approximately six students and six faculty/staff members are appointed for a term of one year. Members are appointed by the University President. From the pool of members, the Judicial Board that would hear a case is typically comprised of at least five members. The Judicial Board hears the case, weighs the evidence and testimony of witnesses, determines responsibility or non-responsibility of the accused and makes a sanction recommendation. The accused student will be determined responsible or not-responsible by the preponderance of the evidence. Preponderance of evidence means evidence that would lead a reasonable person to conclude that it is more likely than not that the act in question did occur and/or that the accusations are true. To proceed with a hearing, a minimum of five Judicial Board members must be present. If less than five Judicial Board members are present, the accused student must agree in writing in order to proceed with the hearing.

## **ALCOHOL AND DRUG POLICY**

The inappropriate use of alcohol and drugs can interfere with student development and seriously threaten the health and safety of the University community. Members of the University community will be held accountable for their behavior while under the influence of alcohol and/or drugs.

The Fredonia Alcohol Policy states that no one under 21 years of age may consume or possess alcoholic beverages. Hosts are responsible for all of their guests, including those who are under 21 years of age. Students who are over 21 may not consume alcohol in the presence of anyone under 21 other than their roommate. Individuals who are under the age of 21 may not be present where alcohol is being served or consumed other than as set forth by the aforementioned regulation. In such cases, all underage students present will be charged with an alcohol policy violation.

The Fredonia Drug Policy states that all students should be aware that "Pursuant to the order of the Chancellor of SUNY, the illegal use of narcotics and/or dangerous drugs on campus is expressly forbidden." The State University of New York at Fredonia and the Office of Residence Life prohibit the possession of drug paraphernalia including, but not limited to, pipes, hookahs, bongs, rollers, spoofs, water pipes, smokeless cigarettes/e-cigarettes, etc. Any student known or suspected to be in possession of, using or distributing drugs or drug related paraphernalia, or in the presence of any of the above, is subject to disciplinary action and criminal action under campus regulations, as well as state and federal law.

These alcohol and drug related sanctioning guidelines focus on student development and early intervention for minor violations and first offenses and on a more disciplinary approach for major violations and repeat or multiple offenses.

## **DRUGS**

The following are prohibited:

1. Using or possessing illegal drugs, controlled substances, or drug paraphernalia.
2. The sale or distribution of illegal drugs, controlled substances, or drug paraphernalia.

## **ALCOHOL**

The following are prohibited:

1. Using or possessing alcohol (persons under 21 years of age).
2. Distributing or selling alcohol to minors, on or off campus.
3. Misstating or misrepresenting age through the presentation of false documents.
4. Distributing or selling alcohol without a license.

Students and guests who are of legal purchase age or older may possess alcoholic beverages in quantities for personal use only in their private rooms, subject to all regulations that may be established by the Office of Residence Life.



## **TYPICAL ALCOHOL / DRUG SANCTION(S)**

Listed below are possible sanction(s) for those who violate the drug and alcohol policy. The sanctions listed may be used alone or in combination, and additional sanctions not listed here may also be applied.

*First Offense:* The first alcohol or drug related violation would typically result in a Disciplinary Warning and a requirement to complete either the online Alcohol or Drug Education Course. The student will be charged a fee to cover the cost of these programs.

*Second Offense:* The second alcohol or drug related violation would typically result in Disciplinary Probation and a referral to the Fredonia CARES program, an in-depth alcohol and drug prevention counseling program. The student will be charged a fee to offset some of the cost of this counseling program.

*Third Offense:* The third offense would typically result in some sort of Disciplinary Suspension. The duration of the suspension would depend on the student's educational and disciplinary record.

If any of the above mentioned offenses are deemed minor, the Residence Hall Director or Director of Student Conduct would have the option to issue a lesser sanction. If any of these offenses are major violations of campus policy, the sanctions may be more severe. Major violations would typically stem from police involvement, criminal charges, hospitalization of participants, or involve the illegal sale or distribution of drugs or provision of alcohol to students who are underage.

## **ALCOHOL EDUCATION COURSE**

Students are required to complete this online program as a sanction for a first time violation of the University alcohol policy. The course is a science-based course and provides detailed information about alcohol and its effects on the body and mind. A fee will be charged to cover the cost of the program.

## **DRUG EDUCATION COURSE**

Students are required to complete this online program as a sanction for a first time violation of the University drug policy. The course is science-based and it provides detailed information about marijuana and its effects on the body and mind. A fee will be charged to cover the cost of the program.

## **FREDONIA CARES**

Fredonia CARES [Choice | Acceptance | Responsibility | Experience | Success] is a campus initiative designed to address alcohol and other drug concerns on our campus. The program responds to the individual needs of students who have been charged with a violation of the Fredonia Alcohol and Drug Policy. Additionally, students who believe they might benefit from examining their substance use may take part in an appropriate workshop. Students will have a private and confidential consultation, and participate in a research based workshop focusing on self-assessment to help better understand the risks and impacts substance use plays in one's life. The program respects individuals' values and personal choices regarding substance use. It also supports the idea that with new information, time to process it, and support for change, many people will benefit from considering behavior changes and exploring new beliefs. A fee will be charged to cover the cost of the program.

## **OTHER TYPES OF SANCTIONS**

If a student is found responsible for misconduct on or off campus, the following sanctions may be imposed singly or in combination. The sanction(s) imposed will commensurate with the offending conduct, and may take into account the student's educational record and any previous conduct record.

*Verbal Warning* – A verbal reprimand which expresses University dissatisfaction with the student's conduct and which clarifies expected behavior in the future. Such a warning is noted in the student's conduct file.

*Disciplinary Warning* - A written reprimand which expresses University dissatisfaction with the student's conduct and which clarifies expected behavior in the future.

*Disciplinary Probation* - Written notification that any further violations within the probationary period shall result in more severe disciplinary action. The probationary period will be for a specific period of time and/or until the completion of any specified requirements or conditions that are part of the probation.

*Disciplinary Suspension in Abeyance* - The student remains enrolled. However, any violation of conduct regulations during the period of suspension in abeyance will, after determination of guilt, result in a minimum sanction of automatic suspension.

*Disciplinary Suspension* - A decision that removes the student from the University for a specific period of time, usually no more than two years. The suspension might be immediate or begin after the end of the semester. In either case, the student is eligible for consideration for readmission at the end of the specified period. Students that are suspended will not be eligible for a refund. This includes tuition and cost of on-campus housing. Typically, the sanction also includes the student being barred from the campus for the period of suspension. This is more particularly described in the Administrative Policy 057.1 section 1. (B)2.

*Disciplinary Expulsion/Dismissal* - A decision that removes the student permanently from the University. Normally, the penalty shall also include the student being barred from the premises of the University.

*Other Sanctions* - Other sanctions may include a variety of restrictions and educational related activities. These include but are not limited to:

- prohibition from engaging in any extra-curricular activity
- prohibition from running or holding an office in any student group or organization
- prohibition from participation in sports related activities
- restricting students from serving on any University committees
- limiting student employment
- removal from on-campus housing
- restriction from specific buildings or residence halls
- changing student room or residence hall assignment
- restriction from campus
- placing holds on records
- service charges or restitution
- required counseling
- required substance abuse evaluation
- required community service
- required class attendance
- required Internet research
- writing a paper
- required apology

## **ZERO TOLERANCE POLICY**

As part of a Zero Tolerance Policy, Fredonia will take disciplinary action for every alcohol and drug related violation on campus. Fredonia will also take disciplinary action for violations reported off-campus, provided these violations have a connection to the campus. This would include violations that endanger students or may cause harm to the campus community.

## **PARENTAL NOTIFICATION POLICY**

In October 1998, Congress passed the Higher Education Amendment which permits post-secondary institutions to disclose to parents or legal guardians of students under 21, without their consent, information regarding the student's violation of any federal, state, or local law, or any rule or policy of the institution governing the use or possession of alcohol or a controlled substance. The Office of Student Conduct normally informs parents or legal guardians of any alcohol or drug violation involving students under 21.

## **PERMANENT TRANSCRIPT NOTATION (HAZING, SEXUAL VIOLENCE, AND OTHER SERIOUS VIOLATIONS)**

Students that are found responsible and suspended or expelled for serious violations of the Students Rights and Responsibilities may receive a permanent notation on their academic transcript. This includes but is not restricted to sexual assault, hazing, and conduct which leads to the death or serious physical injury to another person. Students found responsible for such violations may not receive credit for the semester in which they are suspended or expelled. Also, the student will remain liable for all tuition and fees for that semester.

### **POLICY ON HAZING AND INITIATION OR AFFILIATION WITH ANY ORGANIZATION**

The purpose of this policy is to specifically clarify those behaviors and activities which constitute violations of University regulations and New York State laws pertaining to hazing, and to provide guidance to student organizations in designing new member programs and activities, which serve to protect the human dignity and safety of all persons which will be permitted. This policy applies to all members of a student organization including alumni members. No organization may engage in any form of hazing. A student found responsible for hazing may receive a permanent transcript notation on their transcript. This is more particularly described in the Permanent Transcript Notation Policy.

Hazing is defined as engaging in any action or creating a situation intentionally or unintentionally designed to produce mental or physical discomfort, harassment, fatigue, intoxication, or excessive ridicule in the course of another person's initiation into or affiliation with any organization. Such activities and situations may constitute hazing but are not limited to the following:

- (1) disfigurement to include branding or self-mutilation
- (2) paddling in any form
- (3) creation of excessive fatigue
- (4) physical and psychological shocks
- (5) activities such as quests, treasure hunts, drinking games, scavenger hunts, road trips, etc. which are conducted in an illegal, demeaning, or dangerous manner
- (6) public wearing of apparel which is conspicuous and not normally in good taste
- (7) engaging in public stunts and buffoonery
- (8) morally degrading or humiliating games and activities
- (9) any activities which interfere with class attendance, class preparation or scholastic activities or activities which are disruptive to any University department or office or classroom
- (10) verbal abuse which leads to public embarrassment or humiliation
- (11) implication that an act of hazing could be pre-initiatory
- (12) engaging in or encouraging excessive or illegal drinking or drug use
- (13) any other activities that are not consistent with fraternal law, ritual or policy, or the policies and regulations of Fredonia.

Fredonia reserves the right to revoke recognition of any student organization or club that is found to have violated these rules. Appropriate review of alleged violations may include review by the Vice President of Enrollment & Student Services and the Director of Student Conduct. Member organizations of Inter-Greek Council and Panhellenic Council may also be reviewed by their respective Judicial Boards. Revocation of recognition may not preclude the imposition of the University Judicial Board, but when considered by the Vice President of Enrollment & Student Services to be serious in nature, could result in immediate suspension of organizational recognition until such time as the allegations have been appropriately adjudicated.

Students are prohibited from pledging, joining, or accepting membership with a fraternity, sorority, or student organization which has been dismissed or expelled.

Given the University's concern regarding the physical and/or mental health risk that expelled student organizations pose, individual students who join expelled student organizations may be charged with a violation of this regulation and receive a sanction that would expell them from the University. Students who choose to rush, pledge, and/or join an expelled organization can be charged through the Code of Conduct and be expelled from the University.

## **UNIVERSITY POLICY ON SEXUAL VIOLENCE PREVENTION AND RESPONSE (SEE WEBSITE FOR ENTIRE POLICY)**

The Fredonia campus will not tolerate sexual assault in any form, including acquaintance rape. This also includes, but is not limited to, 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 victim. Where there is reasonable cause to believe that the University regulations prohibiting sexual assault have been violated, the campus will pursue strong disciplinary action through its own channels. This discipline includes the possibility of suspension or expulsion/dismissal from the University.

A student charged with an act of sexual violence can be prosecuted under New York State criminal statutes and disciplined under the campus code of student conduct. Even if the criminal justice authorities choose not to prosecute, the campus can pursue disciplinary action. A student may be charged under Section 2(f) of the Standards of Behavior.

In addressing cases of sexual assault, the State University of New York at Fredonia works to ensure fairness and to provide support for all persons involved. Students who have questions about the procedures and protections provided in these cases are encouraged to contact the Office of Enrollment & Student Services and/or University Police. Students are also encouraged to take advantage of the Counseling Center and Health Center for further assistance.

### **DEFINITION OF AFFIRMATIVE CONSENT**

Fredonia recognizes the following definition of 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.

- a) Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- b) Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- c) Consent may be initially given but withdrawn at any time.
- d) Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- e) Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- f) When consent is withdrawn or can no longer be given, sexual activity must stop.

## **POLICY FOR ALCOHOL AND/OR DRUG USE AMNESTY IN SEXUAL AND INTERPERSONAL VIOLENCE CASES**

The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. Fredonia recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Fredonia strongly encourages students to report incidents of domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Fredonia officials or law enforcement will not be subject to Fredonia's Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

### **STUDENTS' BILL OF RIGHTS**

The State University of New York and Fredonia are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

#### **All students have 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 from the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes and violations;
7. Describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;
8. Be free from retaliation by the institution, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

## Options in Brief:

Victims/survivors have many options that can be pursued simultaneously, including one or more of the following:

- Advocacy and Counseling
  - CEASE, Counseling Center, LoGrasso Hall, (716) 673-3424
    - Campus, Education, Awareness, Support, and Effect (CEASE) is the violence prevention – victim services program at Fredonia. CEASE provides advocacy and referrals for Fredonia students that are survivors of sexual and interpersonal violence. We can answer questions, offer emotional support, and provide referrals for legal, medical, judicial, and counseling options.
  - Counseling Center, LoGrasso Hall, (716) 673-3424
    - The Counseling Center can provide mental health services for survivors of sexual violence; services are free and confidential. For after-hours assistance from the Counseling Center, please contact University Police and ask for the counselor on-call.
  - The Anew Center of Jamestown (The Salvation Army), 1-800-252-8748
    - Provides a 24/7 helpline for survivors of sexual assault and relationship violence. The helpline can answer questions, provide referrals or send a victim advocate to meet with you.
- Medical Treatment and Evidence Collection
  - Brooks Memorial Hospital can provide medical treatment to survivors of sexual assault. They can offer treatment for injuries, STD testing and treatment, the morning after pill, and basic evidence collection (also known as ‘rape kits’). Advocates from The Anew Center can be contacted to provide advocacy services. Survivors who have a sexual assault kit completed do not have to file a police report or press criminal charges.
    - Contact Information: 529 Central Avenue – Dunkirk, (716) 366-1111
  - The Health Center can provide treatment for injuries, the morning after pill, and referrals to outside providers for additional services. The Health Center does not provide evidence collection services (also known as ‘rape kits’). They can provide you with transportation to Brooks Hospital to have evidence collected.
    - Contact Information: LoGrasso Hall, (716) 673-3131
  - Chautauqua County Health Department - Reproductive Health Services Clinic can provide free and confidential STD/HIV testing and treatment and the morning after pill.
    - Contact Information: 319 Central Avenue – Dunkirk, (716) 363-3660
  - FRED ASSIST - Sexual health clinic that offers services to all Fredonia students. Services include: pap smears, testing for chlamydia and gonorrhea (urine test for males & females), emergency contraception (at clinics only), and hormonal contraception. Please see FRED ASSIST for a complete price list for services. Clinical services are provided by a medical staff and student volunteers staff office hours to answer questions regarding sexual health and make appointments for the clinic. Services are confidential.
    - Contact Information: LoGrasso Hall (rear of building), (716) 673-3396
- To confidentially or anonymously disclose a crime or violation, who by law can maintain confidentiality and can assist in obtaining services (more information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence [www.fredonia.edu/sexualassault](http://www.fredonia.edu/sexualassault))
  - Anonymously online: <http://www.fredonia.edu/upd/updsilent.asp>
  - Confidential: Counseling Center, LoGrasso Hall, (716) 673-3424;

- Make a report to:
  - An employee with the authority to address complaints, including the Title IX Coordinator, Director of Student Conduct, or a Human Resources employee;
  - University Police;
  - Local law enforcement; and/or
  - Family Court or Civil Court.

Copies of this Bill of Rights shall be distributed annually to students, made available on every University’s website, and posted in each campus residence hall, dining hall, and student union or campus center and shall include links or information to access the Sexual Violence Response Policy below and the Options for Confidentially Disclosing Sexual Violence.

## **SEXUAL VIOLENCE RESPONSE POLICY**

In accordance with the Students’ Bill of Rights, reporting individuals shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

### **I- Reporting:**

- To report *confidentially* the incident to one of the following University officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence Policy [www.fredonia.edu/sexualassault](http://www.fredonia.edu/sexualassault))
  - Anonymously online: <http://www.fredonia.edu/upd/updsilent.asp>
  - Counseling Center, LoGrasso Hall, (716) 673-3424;
- To disclose *confidentially* the incident and obtain services from the New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>. Additional disclosure and assistance options are catalogued by the Office for the Prevention of Domestic Violence and presented in several languages: <http://www.opdv.ny.gov/help/index.html> (or by calling 1-800-942-6906), and assistance can also be obtained through:
  - SurvJustice: <http://survjustice.org/our-services/civil-rights-complaints/>;
  - Legal Momentum: <https://www.legalmomentum.org/>;
  - NYSCASA: <http://nyscasa.org/responding>;
  - NYSCADV: <http://www.nyscadv.org/>;
  - Pandora’s Project: <http://www.pandora.org/lgbtsurvivors.html>;
  - GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>;
  - RAINN: <https://www.rainn.org/get-help>;
  - Safe Horizons: <http://www.safehorizon.org/>.
    - (note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporting individuals are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases).
- To report the incident to one of the following University officials who can offer *privacy* and can assist in obtaining resources (note that an official who can offer privacy may still be required by law and University policy to inform one or more University officials about the incident, including but not limited to the Title IX Coordinator):
  - Title IX Coordinator;
  - University Police;
  - Enrollment & Student Services;
  - Student Conduct;
  - Residence Life

- To file a criminal complaint with University Police and/or with local law enforcement:
  - University Police, 2nd Floor of Gregory Hall, (716) 673-3333
  - Fredonia Police Department, 9 Church St., Fredonia, NY, (716) 679-1531
- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with University policy. If a victim/survivor wishes to keep their identity private, they may call the Title IX Coordinator anonymously to discuss the situation and available options:
  - Title IX Coordinator, 143 Fenton Hall, (716) 673-3358
- When the accused is an employee, a victim/survivor may also report the incident to the Office of Human Resources or may request that one of the above referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the University, University officials will, at the request of the victim/survivor, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and University policy.
  - Human Resources Office, 511 Maytum Hall, (716) 673-3434
- You may withdraw your complaint or involvement from the University process at any time.

## II- Resources:

- To obtain effective intervention services
  - Counseling Center, LoGrasso Hall, (716) 673-3424
  - Student Health Center, LoGrasso Hall, (716) 673-3131.
  - Brooks Memorial Hospital, 529 Central Avenue, Dunkirk, NY, (716) 366-1111, [www.brookshospital.org](http://www.brookshospital.org)
    - Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available.
  - **The Chautauqua County Health Department**, 319 Central Avenue, Dunkirk, NY, (716) 363-3660, <http://www.co.chautauqua.ny.us/593/Reproductive-Health>
  - Fred ASSIST, LoGrasso Hall, (716) 673-3396
    - Sexual health clinic that offers services to all Fredonia students.
    - Services include: pap smears, testing for chlamydia and gonorrhea (urine test for males & females), emergency contraception (at clinics only), and hormonal contraception. Please see FRED ASSIST for a complete price list for services. Clinical services are provided by a medical staff and student volunteers staff office hours to answer questions regarding sexual health and make appointments for the clinic. Services are confidential.

Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: [http://www.ovs.ny.gov/files/ovs\\_rights\\_of\\_cv\\_booklet.pdf](http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf), or by calling 1-800-247-8035. Options are explained here: <http://www.ovs.ny.gov/helpforcrimevictims.html>.

To best preserve evidence, victims/survivors should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.



### **III-Protection and Accommodations:**

- When the accused is a student, to have the University issue a “No Contact Order,” consistent with the University policy and procedure, meaning that continuing to contact that protected individual is a violation of University policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person. Both the accused/respondent and reporting individual may request a prompt review of the need for and terms of a No Contact Order, consistent with Fredonia policy. Parties may submit evidence in support of their request.
- Both the accused or respondent and the reporting individual shall, upon request and consistent with institution policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of their request. Institutions may establish an appropriate schedule for the accused and respondents to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the reporting individual.
- To have assistance from University Police or other University officials in initiating legal proceedings in family court or civil court, including but not limited to obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a University official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).
- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction or to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process. Parties may request a prompt review of the need for terms of an interim suspension.
  - Both the accused or respondent and the reporting individual shall, upon request and consistent with the institution’s policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension, including potential modification, and shall be allowed to submit evidence in support of their request.
- When the accused is not a student but is a member of the University community and presents a continuing threat to the health and safety of the community, to subject the accused to interim measures in accordance with applicable collective bargaining agreements, employee handbooks, and Fredonia policies and rules.
- When the accused is not a member of the University community, to have assistance from University Police or other University officials in obtaining a persona non grata letter, subject to legal requirements and University policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them. While reporting individuals may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
  - Title IX Office, 143 Fenton Hall, (716) 673-3358

- Both the accused or respondent and the reporting individual shall, upon request and consistent with the institution's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such interim measure and accommodation that directly affects them, and shall be allowed to submit evidence in support of their request.

#### **IV-Student Conduct Process:**

- To request that student conduct charges be filed against the accused. Conduct proceedings are governed by the procedures set forth in the University Student Handbook (<http://www.fredonia.edu/studentaffairs/>) as well as federal and New York State law, including the due process provisions of the United States and New York State Constitutions.
- Throughout conduct proceedings, the accused and the victim/survivor will have:
  - The same opportunity to be accompanied by an advisor of their choice who may assist and advise the parties throughout the conduct process and any related hearings or meetings. Participation of the advisor in any proceeding is governed by federal law and the Student Code of Conduct;
  - The right to a prompt response to any complaint and to have their complaint investigated and adjudicated in an impartial, timely, and thorough manner by individuals who receive annual training in conducting investigations of sexual violence, the effects of trauma, impartiality, the rights of the respondent, including the right to a presumption that the respondent is "not responsible" until a finding of responsibility is made, and other issues related to sexual assault, domestic violence, dating violence, and stalking.
  - The right to an investigation and process conducted in a manner that recognizes the legal and policy requirements of due process (including fairness, impartiality, and a meaningful opportunity to be heard) and is not conducted by individuals with a conflict of interest.
  - The right to receive advance written or electronic notice of the date, time, and location of any meeting or hearing they are required to or are eligible to attend. Accused individuals will also be told the factual allegations concerning the violation, a reference to the specific code of conduct provisions alleged to have been violated, and possible sanctions.
  - The right to have a conduct process run concurrently with a criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence. Temporary delays should not last more than 10 days except when law enforcement specifically requests and justifies a longer delay.
  - The right to offer evidence during an investigation and to review available relevant evidence in the case file (or otherwise held by the University).
  - The right to present evidence and testimony at a hearing, where appropriate.
  - The right to a range of options for providing testimony via alternative arrangements, including telephone/videoconferencing or testifying with a room partition.
  - The right to exclude prior sexual history with persons other than the other party in the conduct process or their own mental health diagnosis or treatment from admittance in University disciplinary stage that determines responsibility. Past findings of domestic violence, dating violence, stalking, or sexual assault may be admissible in the disciplinary stage that determines sanction.
  - The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
  - The right to make an impact statement during the point of the proceeding where the decision maker is deliberating on appropriate sanctions.
  - The right to simultaneous (among the parties) written or electronic notification of the outcome of a conduct proceeding, including the decision, any sanctions, and the rationale for the decision and any sanctions.

- The right to written or electronic notice about the sanction(s) that may be imposed on the accused based upon the outcome of the conduct proceeding. For student found responsible for sexual assault, the available sanctions are suspension with additional requirements and expulsion/dismissal.
- Access to at least one level of appeal of a determination before a panel, which may include one or more students, that is fair and impartial and does not include individuals with a conflict of interest.
- The right to have access to a full and fair record of a student conduct hearing, which shall be preserved and maintained for at least five years.
  - Office of Student Conduct, 604 Maytum Hall, (716) 673-3271
  - Fredonia shall ensure that every student be afforded the following rights throughout proceedings involving such an accusation of sexual assault, domestic violence, dating violence, stalking, or sexual activity that may otherwise violate the institution's Code of Conduct
    - The right to review and present available evidence in the case file, or otherwise in the possession or control of the institution, and relevant to the conduct case, consistent with institution policies and procedures.
- The right to choose whether to disclose or discuss the outcome of a conduct hearing.
- The right to have all information obtained during the course of the conduct or judicial process be protected from the public release until the appeals panel makes a final determination unless otherwise required by law.

## **SEXUAL HARASSMENT POLICY**

As an educational institution, the State University of New York at Fredonia is committed to maintaining a campus environment where all members of the academic community are able to work and pursue collegial study in an atmosphere of mutual respect, civility and trust. Any violation of this trust damages the institution's educational mission by undermining the freedoms of inquiry and expression. We must make it unmistakably clear to every member of the faculty and academic staff, to every employee and every student that sexual harassment and discrimination will not be tolerated here on this campus.

As a form of discrimination, sexual harassment is a violation of both federal and New York State laws, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and New York Human Rights Act of 1982.

### **Scope:**

This policy applies to all students, administrators, faculty, staff and guests of Fredonia.

All members of the community are encouraged to report any incidents of sexual discrimination or harassment of which they become aware that compromises the well-being of an individual or the campus community.

### **Defining Sexual Harassment:**

*Sexual Harassment in the **Employment** Setting is defined as:*

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any of the following occurs:

- a. Submission to such conduct is made a term or condition of an individual's continued employment, promotion or other condition of employment.
- b. Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant.
- c. Such conduct is intended to interfere with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

*Sexual Harassment in the **Educational** setting is defined as:*

Unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student denies or limits, on the basis of gender, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.

## **Reporting and Addressing Complaints:**

Sexual discrimination, including sexual harassment should be promptly reported to the Title IX Coordinator at the Office of Diversity, Equity, and Inclusion, 143 Fenton Hall, 716-673-3358. Any such information provided shall, to the extent possible, be handled in a manner to maintain the privacy of the reporting party(ies). Fredonia students and employees can choose to participate in a SUNY-wide grievance procedure to initiate investigation and potential resolution of a complaint. Detailed information regarding the process, including the complaint form is available on the discrimination complaint procedure website. Use of the internal grievance procedure does not deprive a complainant of the right to file with outside enforcement agencies, such as the New York State Division of Human Rights, the Equal Employment Opportunity Commission, the Office for Civil Rights of the United States Department of Education, and/or the Office of Federal Contract Compliance of the United States Department of Labor.

Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, or persistent, or severe that a reasonable person, of similar background would be adversely affected to a degree that interferes with their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource. Should disciplinary action be implemented, or campus judiciary proceedings invoked, it shall be done consistent with the terms and conditions of the governing collective bargaining agreement or campus conduct policy.

An employee or student who participates in the discrimination complaint process, or reports an incident of discrimination due to harassment, has the right to do so without fear of retaliation. If retaliation were to occur, appropriate sanctions or disciplinary action consistent with the terms and conditions of the governing collective bargaining agreement or campus conduct policy shall be followed.

### **Support Services:**

Office of Diversity, Equity, and Inclusion – (716) 673-3358 (includes Title IX Coordinator)

University Police – (716) 673-3333

Enrollment & Student Services – (716) 673-3271

Student Conduct – (716) 673-3271

Counseling Center – (716) 673-3424

Human Resources – (716) 673-3434

## **BIAS CRIMES PREVENTION (see website for entire policy and procedures)**

The State University of New York at Fredonia Police shall protect all members of the Fredonia community by preventing and prosecuting bias or hate crimes that occur within the campus's jurisdiction.

Hate crimes, also called bias crimes or bias-related crimes, are criminal activity motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their age, religion, ethnicity, gender, sexual orientation, or disability. Penalties for bias-related crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. Perpetrators who are students will also be subject to campus disciplinary procedures where sanctions including expulsion/dismissal are possible.

In addition to preventing and prosecuting hate/bias crimes, University Police also assist in addressing bias-related activities that do not rise to the level of a crime. These activities, referred to as bias incidents and defined by the University as objectively perceptible acts of bigotry, harassment, or intimidation directed at a member or group within the Fredonia community based on national origin, ethnicity, race, age, religion, gender, sexual orientation, disability, veteran status, color, creed, or marital status, may be addressed through the State University's Discrimination Complaint Procedure or the campus Code of Conduct. Bias incidents can be reported to University Police, the Office of Enrollment & Student Services, or the Office of Diversity, Equity, and Inclusion.

Students are encouraged to contact the Chief Diversity Officer to request consultation and counseling regarding a crime or incident, to report a crime or incident, to file a Charge of Discrimination form, or to share concerns about issues regarding the University. Other offices students may wish to contact are: Enrollment & Student Services; the Intercultural Center; University Police; the Counseling Center; Residence Life; and Student Conduct.

If you are a victim of, or witness to, a hate/bias crime on campus, report it to University Police by calling (716) 673-3333 in an emergency, using a Blue Light or other campus emergency telephones, or stopping by the University Police Office located on the 2nd floor in Gregory Hall. University Police will investigate and follow the appropriate adjudication procedures.

Victims of bias crime or bias incidents are urged to contact the following offices for assistance:

University Police	(716) 673-3333
Office of Enrollment & Student Services	(716) 673-3271
Office of Student Conduct	(716) 673-3271
Office of Diversity, Equity, and Inclusion/Affirmative Action/Title IX	(716) 673-3358
Counseling Center	(716) 673-3424
Intercultural Center	(716) 673-3398

For general information on Fredonia security procedures, see the University Police Website at: <https://students.fredonia.edu/upd> or call (716) 673-3333. More information about bias-related and bias crimes, including up-to-date statistics on bias crimes is available from the Chief of University Police at (716) 673-3333 or the University Police Website.

## **CRIME STATISTICS**

A copy of the State University of New York at Fredonia campus crime statistics as reported annually to the U. S. Department of Education will be provided upon request by the Personal Safety & Campus Security Committee. Please direct all such requests to the Office of University Police at (716) 673-3333. Information can also be obtained from the U. S. Department of Education website at: <http://ope.ed.gov/security/> and the State University of New York at Fredonia University Police website at: <https://students.fredonia.edu/upd/campussafety>.

## **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974**

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, sets forth requirements designed to protect the privacy of parents and students. The statute governs the access to records maintained by educational institutions, and the release of such records.

The Family Educational Rights and Privacy Act permits current or former students to inspect and review their education records. Students are also accorded a right to a hearing in order to question the contents of their education records. Written consent from students may be required before personally identifiable information about them will be released from their education records, as provided by law.

Specifically, institutions are permitted to release directory information on students unless the students have notified the institution to withhold this information. Directory information is “public” information, which may be released without the student’s consent to persons making inquiry. Personally identifiable information designated as directory information includes: the student’s name; local address and local telephone number; University assigned e-mail address; student’s home address and home telephone number; cell phone number; parent’s name, address and telephone number; class schedule; date and place of birth; major field of study; class standing; participation in officially recognized sports and activities; weight and height (athletes); electronic images (photographs); dates of attendance at the University; degrees and awards received; and the most recent previous educational institution attended.

## **STATEMENT REGARDING FREDONIA'S CELEBRATION OF DIVERSITY**

The University welcomes the experience, talent, and surge of energy that comes from a culturally diverse campus. It has pledged to ensure that everyone is treated fairly, without degradation of any person's race, religion, ethnicity, gender, affection orientation, physical/mental challenge, or any other characteristic not germane to a person's rights or human worth. The University specifically discourages fighting, threats, physical abuse, harassment, assault, or any other action which threatens to or does endanger the health, safety, or welfare of a fellow student and/or member of the University community.

The University also discourages engaging in any action or situation that which recklessly or intentionally dangers the mental or physical health of a member of the University community; creating in a situation through severe and persuasive acts that results in the discomfort of, or harassment or excessive ridicule of a member of the University community. The University will also act to prohibit such conduct to the extent that it violates the Student Code of Conduct.

All members of the campus community are expected to live, learn, and work with a foundation of understanding and appreciation of differences. Faculty and staff, as mentors and educators, are expected to support this policy through personal interactions with students, classroom discussion, and careful selection of curricular materials and content.

## **FREDONIA NON-DISCRIMINATION STATEMENT**

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

The University's policy is in accordance with federal and state laws and regulations prohibiting unlawful discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to **Dr. Bill Boerner, Chief Diversity Officer** at William.boerner@fredonia.edu. Inquiries may also be directed to the United States Department of Education's Office for Civil Rights, 32 Old Slip 26th Floor, New York, NY 10005-2500; Tel. (646) 428-3800; Email OCR.NewYork@ed.gov.

