

# Handbook of Student Rights and Responsibilities

<http://www.gettysburg.edu/studenthandbook>

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It is the policy of Gettysburg College not to discriminate improperly against any matriculated student, employee or prospective employee on account of race, color, religion, ethnic or national origin, age, gender, sexual orientation, or being differently abled. Such policy is in compliance with the requirements of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, and all other applicable federal, state, and local statutes, ordinances, and regulations. Inquiries concerning the application of any of these laws may be directed to the Affirmative Action Officer at the College.

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## **ACADEMIC POLICIES**

### **Provost**

The Provost is the Chief Academic Officer of the College and handles matters pertaining to faculty and academic programs. The office is located on the third floor of Pennsylvania Hall.

### **Faculty**

The faculty establishes and conducts the academic program of the College and shares with the President and the Board of Trustees ultimate responsibility for setting policies regarding student academic life at the College. Faculty responsibilities include the teaching and advising of students; scholarly activity such as research, publication, performance, or professional consultation; other intellectual activity, such as participation in professional meetings and workshops; and service to the community through campus governance.

In designing and implementing the academic program, the faculty works through committees. Many of these have student representatives. Examples of faculty committees include the Academic Policy and Program Committee, which deals with questions of curriculum and academic policy; the Academic Standing Committee, which reviews and evaluates the academic records of individual students and decides, for instance, if a student should be placed on probation or required to withdraw from the College; and the Enrollment and Educational Services, which sets policies and guidelines for admissions, advanced standing credit, and financial aid.

The faculty committees report their recommendations at the meetings of the entire faculty, which student representatives attend. At these meetings consideration is given to academic and student life matters and the general state of the College.

### **Academic Probation Rules**

The Academic Standing Committee reviews student progress at the end of each semester. For information on the requirements necessary to remain in good academic standing refer to the current College catalog.

### **Grades**

It is assumed that when an instructor reports a semester grade it is the result of his/her careful evaluation of a student's academic performance and that it is final. Consequently, after a grade has been reported to the Registrar, it cannot be changed unless there has been an error in computation or reporting. The Provost must first approve such change.

*See page 7 for grade appeal process. (Student Rights & Responsibilities/Academic Rights & Responsibilities/Section 2a, Evaluation of Students)*

### **Canceling of Grades**

When a student registers for and completes a course which he/she has already taken at Gettysburg, or a substitute course in the same subject at the same level (which has been approved by the appropriate department), both the credit and the grade previously earned are canceled, but they are not removed from the permanent record. The credit and grade earned in the repeated course are counted toward graduation requirements.

### **Honor Code**

In May of 1957, the Faculty approved in principle an Honor Code and accepted in fact a Constitution for the Honor Code at Gettysburg College. With these measures, the Faculty delegated to the Honor Commission responsibility for the regulation of student academic conduct. The final responsibility for the regulation of student conduct remains with the Faculty. The current version of the Honor Code is the result of substantial revision approved by the Faculty, Honor Commission, and Student Senate in 2006.

The Gettysburg College Honor Code articulates the relationship between our shared values of honesty and integrity and our mission as an institution devoted to learning and the pursuit of knowledge. In short, this mission depends on trust and trust requires honesty and integrity. The entire College community is enjoined to actively support our principles of honesty and integrity as summarized in the Gettysburg College Pledge: *I affirm that I will uphold the highest principles of honesty and integrity in all my endeavors at Gettysburg College and foster an atmosphere of mutual respect within and beyond the classroom.*

For information about responsibilities to support the principles of the Honor Code and information about procedures for addressing breaches of the Honor Code, students should consult the Full Text of the Honor Code and the Summary available at the following web site:

[http://www.gettysburg.edu/about/offices/provost/advising/honor\\_code/index.dot](http://www.gettysburg.edu/about/offices/provost/advising/honor_code/index.dot)

### **Late Course Entry**

Students are not permitted to enroll in a course for credit later than 12 class days after the beginning of the semester. In most cases, enrollment in a course after the first week is not recommended.

### **Midterm Reports**

At midterm, instructors may report deficient grades (below C-) to the Office of Academic Advising to warn students of their unsatisfactory academic status and to encourage them to take appropriate steps to improve their performance during the remainder of the semester. Deficiency notices are sent to students, their advisors, parents and guardians of first year students. Notices are also sent to parents and guardians of any upper class student if the student has signed an authorization which permits release of this information to said parent or guardian.

### **Normal Progress toward Graduation**

Any student who is not making normal progress toward graduation may be placed on academic probation or required to leave the college. Each student is responsible for seeing that graduation requirements are fulfilled as listed in the applicable issue of the College catalog by the anticipated date of graduation.

Courses in which students received a grade of U or F do not count toward the 32 course graduation requirement. All students should be in touch with their advisor and the Registrar to review graduation requirements. The Registrar's Office prepares copies of a check-sheet of these requirements, to be distributed to rising senior student mailboxes at pre-registration in April and to senior students mailboxes at the beginning of the fall and spring semesters. Check sheets are also available on the Registrar's website.

### **Off-Campus Studies**

If you are thinking about making off-campus studies a part of your education, you will be joining almost 300 of your peers who study off campus each year (49% of the class of 2008). Gettysburg College considers off-campus study to be a vital part of its academic programs.

Students study off campus for many different reasons. Whether you want to learn a new language, improve your skills in a language you have been studying, make your resume stand out from the crowd, or to add a special facet to your degree, you will find that off-campus studies gives you these advantages—and many more. Students can study off-campus during the first semester of their sophomore year, junior year, or in the first semester of senior year.

Students with special needs are encouraged to discuss their off-campus studies plans with the director of off-campus studies. Many programs can accommodate students with special learning needs or physical needs.

All students must have a minimum 2.0 cumulative grade point average, be in good academic standing and disciplinary standing (students must not be on conduct probation and must have less than 6 points on the Gettysburg College Alcohol & Drug Policy Points System) in order to apply for off-campus studies. Accepted students must maintain their good standing in order to participate and permission will be rescinded for any student placed on probation prior to departing for off-campus studies.

Students who participate in affiliated programs will earn both credits and grades, and will be able to use their financial aid to pay for the program. Students who participate in other approved off campus programs will earn credits but not grades, and will be able to use federal and in some cases state financial aid to pay for the program, however Gettysburg College financial aid cannot be used for these non-Affiliated programs.

For detailed information about Off-Campus Programs, please visit our web site at:  
[http://www.gettysburg.edu/about/offices/provost/off\\_campus](http://www.gettysburg.edu/about/offices/provost/off_campus)

### **Schedule Limitations**

The normal enrollment pattern enables a student to complete the graduation requirements in four years by scheduling eight courses per year. Payment of the Academic Comprehensive Fee entitles a student to register as a full-time student in at least three and, normally, not more than five and one-half course units during any semester that he/she is enrolled at Gettysburg or in an affiliated program. Any student who is a candidate for a degree may not take fewer than three course units nor more than five course units in a fall or spring semester without the approval of the Academic Standing Committee.

### **Transfer Credit**

A student must receive written permission from his/her advisor and from the Registrar in order to take course work at another accredited college. The form for this purpose is available from the Registrar's Office. A student must earn a grade of C- or better in order to transfer credit. Except for certain specified programs, grades are not transferred. However, if a student enrolls at one of the Central Pennsylvania Consortium colleges or another college-affiliated program, grades and credits will be transferred as if the student took the courses at Gettysburg.

The final year of academic work must be taken in residence at Gettysburg College. A regularly matriculating student is not permitted to transfer more than three courses from other institutions toward his/her degree at Gettysburg.

### **Leave of Absence, Withdrawal, Suspension, and Readmission**

Students are expected to be enrolled continuously from their initial enrollment through graduation. Understanding that unexpected events may occur, the College allows for a student to request a leave of absence or withdrawal. If a student withdraws from a course during the last five weeks of the semester, he or she will receive an F (failure) in the course. A student who withdraws officially for medical reasons received a W regardless of the time of withdrawal. Students who withdraw or take a leave of absence are not permitted to visit campus without permission from the Director of Student Rights & Responsibilities. Gettysburg College reserves the right to initiate or require a leave of absence or withdrawal for academic, behavioral, disciplinary, or medical reasons and reserves the right to defer or refuse readmission.

#### **A. Leave of Absence**

A student who wishes to take a semester off for personal or medical reasons may request a leave of absence. The duration of a leave of absence is normally no less than three months. A leave of absence allows a student to retain electronic access to College resources and participate in registration activities for the following semester. Students on leave of absence may not remain on campus and may not participate in College activities. To initiate a leave of absence, a student must submit a Leave of Absence Request form to the Office of Academic Advising. A leave of absence must be approved by the Academic Standing Committee and will be reviewed by the Office of the Vice President of College Life/Dean of Students. A student who has been granted a leave of absence may, with the advance approval of the Academic Standing Committee, study at another institution and transfer these courses to Gettysburg College. Proposals for such study must be submitted to the Office of Academic Advising for submission to the Academic Standing Committee.

**B. Withdrawal**

A student who wishes to leave the College for personal or medical reasons for more than one semester may request a withdrawal. A withdrawn student is no longer considered a degree candidate, may not remain on campus, and may not participate in College activities. To initiate a withdrawal, a student must submit a Withdrawal Request form to the Office of Academic Advising. A withdrawal must be approved by the Academic Standing Committee and will be reviewed by the Office of the Vice President of College Life/Dean of Students. A student who has been granted a withdrawal may, with the advance approval of the Academic Standing Committee, study at another institution and transfer these courses to Gettysburg College. Proposals for such study must be submitted to the Office of Academic Advising for submission to the Academic Standing Committee.

**C. Suspension**

A student may be suspended for academic, behavioral, or disciplinary reasons. At the time of suspension, the student will be notified of the semester that he or she may be eligible for readmission to the College. A student suspended for academic reasons for a second time is not eligible for readmission.

**D. Readmission**

A student who has been granted a leave of absence, has withdrawn, or has been suspended may be required to meet and document certain conditions prior to return or readmission. These conditions will be set out in the letter sent to the student establishing the leave of absence, withdrawal, or suspension. Students must notify the Office of Academic Advising of their desire to return from suspension or withdrawal by April 15 and from leave of absence by June 1 for a Fall Semester return, and all students desiring to return for a Spring semester, by November 1. Applications for readmission will be reviewed by the Academic Standing Committee and by the Office of the Vice President of College Life/Dean of Students.

**E. Medical Leave of Absence and Withdrawal**

All requests for medical leave of absence or medical withdrawal require the recommendation of the College's Health or Counseling care providers. The duration of a leave of absence is normally no less than three months.

Process for Readmission to the College after a Medical Leave of Absence or Medical Withdrawal

Readmission of a student who has taken a medical leave of absence or medical withdrawal will follow the readmission guidelines set by Academic Advising in consultation with other departments at the College, e.g., Health and Counseling Services and the Vice President for College Life and Dean of Students. These guidelines will include provision of relevant medical information to Health and Counseling Services.

**F. Medical or Psychiatric Required Leave of Absence**

A key component of Gettysburg College's mission is to provide a safe environment where students are able to pursue their academic and social goals. The College may require a student to take a leave of absence if reason exists for the College to believe the student's continued presence on campus poses a significant threat to self or to others or to the stability and continuance of normal college operations.

Standards for a Medical or Psychiatric Required Leave of Absence

Typically, a Medical or Psychiatric Required Leave of Absence will arise from a student exhibiting acute or persistent health or behavioral problems, despite having been offered or provided with reasonable accommodations, such as those made in accordance with the Americans with Disabilities Act. The College may initiate the Medical or Psychiatric Required Leave of Absence process if, in the judgment of the Vice President for College Life and Dean of Students, a student:

- Engages, or threatens to engage, in behavior that poses a danger of harm to self or others, causes significant property damage, or substantially affects the health or success of others.
- Interferes with or disrupts the operations, activities, or functions of the College.
- Fails to comply with the behavioral requirements of a College official in the performance of his/her duty with regard to the College's commitments to both the individual and the community.

#### Procedures for a Medical or Psychiatric Required Leave of Absence

Any individual who believes that a student meets the criteria described above should contact the Vice President for College Life and Dean of Students. The Dean will conduct a preliminary investigation and, if necessary, consult with Academic Advising, Counseling Services, or other offices deemed appropriate by the Vice President for College Life and Dean of Students. The Vice President for College Life and Dean of Students may defer this responsibility to another senior member of the College Life staff.

The Vice President for College Life and Dean of Students may require an assessment of the student by a medical/psychiatric provider identified by the Vice President for College Life and Dean of Students. If the student fails to agree to and complete this assessment, the Dean may implement a Medical or Psychiatric Required Leave of Absence immediately.

The Vice President for College Life and Dean of Students may meet with the student in order to review the concerns. If a Medical or Psychiatric Required Leave of Absence is implemented, the terms of the leave will be communicated to the student in writing. The Dean's decision concerning a Medical or Psychiatric Required Leave of Absence is final.

#### Process for Readmission to the College after a Required Medical or Psychiatric Leave of Absence

Readmission of a student who has been placed on a Medical or Psychiatric Required Leave of Absence will follow the readmission guidelines set by Academic Advising in consultation with other departments at the College, e.g., Health and Counseling Services and the Vice President for College Life and Dean of Students. These guidelines will include provision of relevant medical information to Health and Counseling Services. As outlined above, the Vice President for College Life and Dean of Students may determine additional criteria for a student to return.

#### **G. Alcohol and Drug Policy Points System Required Leave of Absence**

Please see the Alcohol and Drug Policy Points System (pp. 32) for more information.

#### **Class Attendance General Policies and Policies for Athletics & Other Extracurricular Activities**

*From Faculty Handbook, 2005 Edition*

“At the heart of Gettysburg College,” insists the College’s Statement of Purpose “is the academic program.” Commitments to the academic program take priority over other College activities. But, the College also offers students the opportunity to participate in extracurricular activities because it believes that these activities can make important contributions to their education as whole persons. The following statement describes the appropriate relationship between academic and extracurricular activities.

#### **Gettysburg College’s Policy on Class Attendance**

The College recognizes that regular attendance at all classes is an essential part of its academic purpose and clearly is the responsibility of the individual student. Each student is accountable for all work missed because of absences from class, and instructors are under no obligation to make special arrangements for students who are absent from classes. Instructors must explain their individual or departmental attendance policy during the first class meeting and/or in their course outlines.

Instructors may contact a student who has accumulated excessive absences directly to remind the student of her/his obligation concerning class attendance and of the consequence of continued absence from class and may notify the Office of Academic Advising that such a warning has been given. If a student incurs further absences after being warned and exceeds the limit set by the instructor’s policy or the departmental policy, she/he may be required to withdraw from the course with a failing grade.

Class absences will be dealt with on a case-by-case basis by the instructor of the course. If a student will miss class for any reason (for example, religious observances, college trips, family emergencies, or illness), the student must discuss this absence with her/his instructor in advance whenever possible. The student will be ultimately responsible for making up any missed work as a result of a class absence. *[Approved by the Faculty, December 3, 1992 and revised by the Faculty on May 1, 1997]*

### **Practice and Activities Times**

The period from 4:00 p.m. to 6:30 p.m. on Monday through Friday has traditionally been set aside for athletic practices and other extra-curricular activities. It is intended that activities such as band, choir, theatre productions, community service activities, and athletic practices will ordinarily take place during this time without conflict with scheduled classes or with other academic obligations, including make-up tests.

It is a violation of NCAA regulations for a coach to require an athlete to attend a practice that conflicts with a class. Therefore, no student will be expected to miss a class or leave class early in order to be at practice.

Sometimes, especially early in the second semester, indoor athletic practices must be scheduled. Because the College lacks sufficient space for all teams to practice indoors between 4:00 p.m. and 6:30 p.m., practices will occasionally meet at other times. No practice scheduled at a time other than 4:00 p.m. to 6:30 p.m. can be made mandatory for athletes. If such a practice conflicts with an assigned academic activity, the academic activity must take precedence. Apart from the condition just specified, no formal or informal team practices, training sessions, etc. should be scheduled at times other than 4:00 p.m. to 6:30 p.m.

It is especially important that faculty let students know if testing; review sessions, extra classes, etc. will be scheduled in the 4:00 p.m. to 6:30 p.m. period. Faculty members should make every effort to avoid the situation where the only opportunity for a student to make up a test or complete some other required activity occurs between 4:00 p.m. and 6:30 p.m.

An administrator from the College Life Division shall act as a liaison between students, faculty, coaches, and advisors of extra-curricular organizations should complaints or misunderstandings arise concerning the implementation of this policy. It will be the responsibility of coaches and advisors of extra-curricular activities to be sure that all students involved in athletics and these activities are aware of this person and his or her function.

### **Absences Due to Athletic Contests or Other Extracurricular Activities**

As noted in the College's Policy on Class Attendance, it is the student's responsibility to request permission from faculty members to miss class because of a scheduled event and to make arrangements with the faculty members to make up any work missed because of an athletic contest or other extracurricular activity. If the level of anticipated absences is so high that the student may have problems in reasonably meeting the requirements of the course for class attendance and other matters, the student has the responsibility of determining whether or not it is possible for him or her to continue to participate in that extracurricular activity. If it is not possible to continue to participate in the extracurricular activity and still meet the requirements of the class, the student must decide whether to withdraw from the activity or, in certain circumstances, to postpone the class to a later semester.

If, for any reason, (including injury or disciplinary sanction by a coach), a student will not be playing in an away game and this is known before the team leaves for the game, a student should be so informed and not be required to travel with the team. Coaches will encourage students who will not be playing in a contest (where the trip to the contest requires them to miss a class) to attend class rather than miss the class.

### **Advance Notice of Absence**

Students should notify their professors when they know in advance that they will be absent from class. At Gettysburg College it is the students' obligation to let the professors know in advance, if possible, when they are going to be absent. Students should talk to the professors in person if at all possible. If not, a telephone call to the professor is recommended. If students cannot talk to the professors in person or over the telephone, they can send a note through campus mail or an e-mail message. There is no such thing as an "officially excused" absence from a class at Gettysburg. Whenever students are absent, they need to notify the professors why they are absent and to work out the details of making up any missed work.

Professors will want to know at least the following information. Students should be prepared to provide it orally or include it in any written message:

- The dates of anticipated absences.
- The reason or reasons for absence. If it is a medical matter, students can simply say for a doctor's appointment, tests, etc. They don't have to tell the details of the illness.
- Students should make it clear that they understand that they are responsible to make up any missed work.
- Students should ask the professor to let them know if he/she has any questions about the absence(s) or any instructions to give about making up the missed work.
- Students should include in any written or e-mail message their campus box number, telephone number, and e-mail address.

Academic Advising occasionally notifies faculty of certain categories of student absences if they are asked to do so by the Health and Counseling Services, parents, or students themselves. Such notification normally is limited to absences where the student is unable to notify the faculty directly. The Health Center does not write notes for students but will contact Academic Advising about student visits or certain diagnoses at a student's request. These notifications are not to be construed as "official excuses" sanctioned by Academic Advising; individual faculty are far better suited to assess the veracity of students' explanations for absence than is the Academic Advising office. Academic Advising does not notify faculty of sports or college related absences. *See also the policy covering "Athletics and Other Extracurricular Events."*

## STUDENTS RIGHTS & RESPONSIBILITIES

A community for education provides opportunity to learn. The student, in order to make best use of that opportunity, must be free to learn. The effectiveness of the opportunity depends upon each faculty member's freedom to teach. The various agencies of the College Administration attempt to provide the instruments and the conditions, which make the opportunity possible.

In order that Gettysburg College, as a community for education, may be of greatest utility in providing the opportunity to learn, both in the formal student-teacher relationship and in less formal contexts, each of its constituent groups must have certain rights and, equally important, must exercise certain responsibilities.

The purpose of the statement, which follows, is to provide guidelines for the insurance of the rights of Gettysburg College students and for the exercise of their responsibilities as members of this community for education. Other documents deal with the rights and responsibilities of other constituencies of the College.

### Academic Rights and Responsibilities

#### 1. Freedom of Access

The admissions policies of Gettysburg College are a matter of institutional choice consistent with public law. The characteristics and expectations of students, which the College considers relevant to success in its program, are made clear in the College Catalog and in other publications. Being an independent private college founded under Lutheran auspices, the College may, all other qualifications being equal, give admission preference to Lutheran applicants. Similar admission preference may be granted children of alumni. Under no circumstances will an applicant for admission be discriminated against on the basis of race, color, religion, ethnic or national origin, age, gender, sexual orientation, or being differently abled. Furthermore, there is no fixed ratio of men and women which the College seeks to maintain permanently. Gettysburg College makes a determined effort to attract students who will profit from and contribute to its program. The College seeks students with promise of intellectual attainment, and insists that, at a minimum, they have the potential to meet its academic expectations. The College seeks students who show promise of contributing to the vitality and success of campus extracurricular activities. Finally, it seeks students who show promise of a responsible approach to life in an academic community.

In an effort to maintain an educationally useful diversity in the student body, Gettysburg College encourages students from various racial, religious, geographic, national, social, and economic backgrounds to apply for admission. Within the limits of its resources, Gettysburg College is open to all students who are qualified according to its admission standards. The facilities and services of the College are open to all enrolled students, and the College uses its influence to secure equal access for all students to public facilities in the local community.

#### 2. Academic Freedom

##### A. Evaluation of Students

Free discussion, inquiry, and expression in the classroom are essential to the task of a liberal education at Gettysburg. Student performance, therefore, should be evaluated solely on the basis of academic achievement, not on opinions or conduct in matters unrelated to academic standards. Students are responsible for maintaining the academic standards established by the College and the respective instructor(s) for each course in which they are enrolled. Students have the right to know the criteria on which they are being evaluated and, where possible, an estimation of their standing in any course in which they are enrolled. Students have the right to be evaluated solely on the stated criteria in any course in which they are enrolled. They should never be subjected to prejudiced or capricious academic evaluation. Any student who feels he/she has been subjected to such evaluation should ask the professor involved to explain his grade. Students have 15 days from the start of the following semester to appeal a final grade to the instructor in writing. The instructor shall respond in writing to the appeal within 15 days of receipt. If the student still feels that the grade is unjustified, the student has an additional 15 days to appeal the grade, in writing, to the Department Chair. (In cases involving the Department Chair, the appeal may be addressed to the Provost.) The Chair shall respond to the student within 15 days of receipt of the appeal. (A Department Chair may, however, at his/her

discretion refer any grade appeal to the Provost for a decision.) If the student is still dissatisfied with a decision made by the Department Chair, the student may appeal in writing to the Provost within 15 days of the Chair's decision. The Provost's decision should be communicated to the parties involved within 15 days of receipt of the appeal. Any grade not changed during this appeal period shall be official.

B. Honor Code

Students enroll at Gettysburg on condition that they will abide by and support the College's academic honor system. Thus, they have the responsibility to adhere to all parts of the Honor Code and to foster its application by other students of the College, and they have the right to exercise its privileges. Details of the Honor Code's operation are found in the booklet issued annually by the Honor Commission and on the Office of Academic Advising website.

3. Student Records

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, is a federal law that governs how colleges and universities supervise and protect student records. FERPA: (1) assures access by students to their education records, (2) permits student review of their education records for accuracy, (3) guarantees use of the records only for legitimate educational purposes, and (4) controls release and disclosure of such records. FERPA is not a records retention statute; it does not define what records a College must maintain but rather, it governs the confidentiality of, and access to, those records that are maintained. Additionally, FERPA does not require the disclosure of records to third parties, but sets forth what may be disclosed to certain parties outside the College under certain circumstances.

A. Records Retention

FERPA is not a records retention statute; it does not define what records the College must make or maintain. At Gettysburg College, no record will be made or retained unless there is a demonstrable need for it that is reasonably related to the basic purposes and needs of the College.

B. Education Records

FERPA addresses and protects the student's "education records." That term is defined as records maintained by the College that are directly related or personally identifiable to a student, except:

- 1) A personal record kept by a faculty or staff member if it is kept in the sole possession of the maker of the records, used only as a memory aid, and is not accessible or revealed to any other person except a temporary substitute for the maker of the record.
- 2) An employment record of a student provided the record is used only in relation to the individual's employment with the College.
- 3) In most cases, records maintained by the Campus Security office.
- 4) Most records maintained by the health center and counseling services.
- 5) Alumni records that contain information about a student after he or she is no longer in attendance at the College and that do not relate to the person as a student.

Examples of education records include: personal files in the Office of Academic Advising, the student's transcript, Teacher Placement Records, Registrar's records other than the transcript, and Premedical Committee recommendations. A student's transcript is the official record of his/her academic standing and performance. It contains his/her grades and any actions of the Committee on Academic Standing, Honor Commission, and Student Conduct Review Board, which required his/her withdrawal from Gettysburg College. Upon readmission or the expiration of the term of suspension by the Honor Commission or Student Conduct Review Board, reasons for withdrawal are stricken from the transcript.) Students may obtain copies of their transcripts from the Registrar's Office.

C. Disclosure of Education Records Internally

The College discloses education records internally without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on

the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College.

D. Forwarding of Education Records Outside the College

Other than as described below, most information contained in an education record may be released outside the College only with the written consent of the student.

However, FERPA provides that information contained in an education record may be released outside the College under certain circumstances, including:

- 1) Authorized Federal and State officials may be granted access to student records required for the audit and evaluation of federally supported educational programs or in connection with the enforcement of federal or state legal requirements related to such programs.
- 2) Student records may be released when required for compliance with a judicial order or lawfully issued subpoena provided that a reasonable attempt has been made to notify the student of such order or subpoena prior to the release of the record.
- 3) Student records may be released to accrediting organizations in order to carry out their accrediting functions.
- 4) Student records may be released to appropriate agencies in connection with the student's application for or receipt of financial aid.
- 5) The College may release to parents of a dependent student (as defined in the Internal Revenue Code) any information from the student's education records.
- 6) The College may release the content of student records to appropriate persons and organizations conducting studies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction if and only if the studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of the organization and provided that such information will be destroyed when no longer needed for purposes of the study.
- 7) The College may release any information from any record about a student to any person if, in connection with an emergency, the knowledge of such information is judged necessary to protect the health and safety of the student or other persons. Such release of information will only be made in a serious emergency where such information is required by the person to whom it is released to meet the emergency and where there is not sufficient time for normal procedures to be followed.
- 8) The College may release the final results of a disciplinary proceeding against a student who is an alleged perpetrator of a violent crime or non-forcible sex offense if the College finds that the student committed a violation of the College's policies or rules. The College may only release the name of the student, the violation committed, and the sanction imposed. The College may also release the name(s) of other student(s) involved, such as the victim or witness, but only with the written consent of that student(s).
- 9) The College may release information to the student's parents regarding any violation of federal, state, or local law, or of any rule or policy of the College governing the use or possession of alcohol or controlled substances if the student is under the age of 21 and the College has determined that the student committed a disciplinary violation.

In addition to these circumstances, Gettysburg College identifies the following as directory information, which can be released without written consent of the student:

- 1) Student name, address (home, campus and email), home and campus telephone number, picture, date and place of birth, dates of attendance, enrollment status, course schedule, field of study, participation in officially recognized activities and sports, weight and height of

members of athletic teams, degrees and awards received and the most recent educational agency or institution attended.

- 2) Any student wishing that such information about him/her not be released should notify the Office of the Registrar by September 15 of any given academic year so that the information can be deleted in the normal course of the preparation of its release.

#### E. Student's Rights to Inspect and Challenge Education Records

Under FERPA, the student has the right, to review all materials that are in that student's education records (as defined in section (3) (C) and (D) above), except:

- 1) Financial information submitted by the student's parents;
- 2) Confidential letters and recommendations associated with admissions, employment or job placement, or honors, to which the student has waived rights of inspection and review.
- 3) Letters, notations, and statements about students that were placed in the students' records prior to January 1, 1975, with the understanding that they would be confidential. Such items will not be used for purposes other than those for which they were specifically intended
- 4) Education records containing information about a student other than the inquiring student, in which case the College will permit access only to that part of the record that pertains to the inquiring student.
- 5) Students wishing to inspect their education records should contact the Office of Academic Advising for an appointment for this purpose. Records covered by FERPA will be made available within forty-five days of the student's request.
- 6) Students have the right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

#### F. Policies Relating to Release of Information to Parents

Gettysburg College does not release information about the education records of students without their written consent, except as referred to in 3. c. and d. above.

As noted in section (3) (D), the College may release to parents of a dependent student (as defined in the Internal Revenue Code) any information from the student's education records.

Additionally, the College also has a practice of proactively informing parents of dependent students about the progress of their son or daughter at the institution in certain situations:

- 1) Recognizing that the first year of college is a transitional year for both the students and parents, the College sends deficiency reports home to parents of dependent students for the duration of the first year.
- 2) When a decision has been made by the College concerning academic or disciplinary matters that affects a student's continuance at the College, parents of dependent students will be informed directly by the College. This applies unless a student is an independent student (over 21, no longer dependent on parents, and not living at home) who has requested that information not be sent to his/her parents.

#### G. More Information about FERPA

Questions about these policies (except those concerning financial aid) may be directed to the Office of Academic Advising. That office also handles requests for exception from normal College policy in this area. Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address

of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

### **Citizenship Rights and Responsibilities**

#### 1. Commitment to Diversity and Inclusiveness

The varied perspectives of a diverse community enhance the academic and social environment of the college through the sharing of a broad range of ideas and the affirmation of cultural and social traditions. A multicultural experience is rewarding for all community members and the College is committed to fostering and celebrating this experience.

Freedom of inquiry and exploration are valued in this learning environment and members of the community are encouraged to express their ideas. However, a genuine sharing of ideas, perspectives, and values presupposes both freedom and responsibility. Consequently, all members of the community are expected to engage in civil discourse, reasoned thought, sustained discussion and constructive participation without degrading, abusing or silencing others.

Living up to these standards is not always easy. But because the community is enriched when they are honored and diminished when they are not honored, everyone at Gettysburg College is expected to make a good faith effort to grow into these standards. Behavior that violates these standards is considered a serious breach of responsibility and the College will determine an appropriate response; which may include mediation, public forum or other educational means.

*Gettysburg College subscribes to the wisdom in the words of Justice Louis D. Brandeis:*

*"If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence." (Whitney v. California, 274 U.S. 357, 1927).*

#### 2. Non-discrimination

It is the policy of Gettysburg College not to discriminate improperly against any matriculated student, employee or prospective employee on account of race, color, religion, ethnic or national origin, age, gender, sexual orientation, or being differently abled. Religious qualifications, however, may be required by organizations whose practices and observances depend upon religious homogeneity.

#### 3. Freedom of Public Expression

Gettysburg College is committed to providing an environment where issues can be openly discussed and explored. The freedom to exchange views is essential to the life of the College. In order to provide an atmosphere in which open communication can occur without disrupting the academic mission or the daily functions of the College, this policy is in place to govern public expression of ideas and information (e.g. campus demonstrations, speakers, public distribution/posting of written materials, etc

Gettysburg College affords all members of the College community, which includes students, faculty, and staff, substantial privileges with respect to freedom of speech and expression. The College encourages the open expression of ideas, and the inclusion of contrary points of view. This freedom, however, is subject to reasonable restrictions of time, place, and manner so that the activities do not intrude upon or interfere with the academic mission and daily functions of the College, or with the rights of members of the College community as defined under College policy.

#### A. Principles of Free Expression

Several principles basic to our College community are enumerated below and serve as a summary of the College's position concerning freedom of expression and dissent.

- 1) Free inquiry and expression are indispensable elements in the achievement of the goals of this academic community. It is therefore expected that diverse views will be voiced throughout the community, including those that may be offensive.
- 2) Responsible dissent is to be encouraged as one means of exposing errors in reasoning and procedures, and of discovering truth.
- 3) Any effort by members of the College community to limit openness in this academic community is a matter of serious concern and militates against the freedom of expression and the discovery of truth. Each member of the community is therefore free to express his/her point of view on any issue of public interest. Each member of the community is also expected to help guarantee the ability of other community members to freely express themselves. No group or individual has the right to interfere with the legitimate activity of other authorized persons and groups.
- 4) Demonstrations, speakers, the distribution/posting of leaflets, statements, petitions, and other forms of public expression are permitted on the campus within reasonable restrictions of time, place, and manner.
- 5) Public expression cannot be unlawful and must not violate or conflict with local, state, or federal laws. Such activity must not violate the College's Harassment policy, or any other College policy.
- 6) Public expression cannot jeopardize public or individual safety.
- 7) The public expression of views and opinions cannot prevent, unduly obstruct, or interfere with:
  - Academic activities, such as academic classes, labs, activities in any academic building, etc.
  - Business activities of the College.
  - The functioning of the College's Residence Hall communities.
  - Access to any College facilities.
- 8) Non-College Individuals and Organizations are not permitted to be involved in public expression on College property unless they are invited and sponsored by an academic/administrative department or a recognized student organization.

#### B. Guidelines for Public Expression on Campus

*Examples of "Public Expression":*

Assemblies, demonstrations, debates, forums, rallies, protests, picketing, speakers, etc. that are held on College property that are open to the general campus community.

*Definition of "non-College" group or organization:*

Any group that plans to speak or demonstrate publicly that contains people who are not members of the College community as active participants in the speech/demonstration is considered a "non-College" group.

##### 1) Sponsorship responsibilities:

Definition of "Sponsor": A recognized College organization or an academic/administrative department that invites a non-College individual or organization to speak or demonstrate on campus shall have the following responsibilities:

- The Sponsor is responsible for assuring that the activities of the sponsored group are carried out in accord with the expectations delineated in the College Policy on Freedom of Public Expression and these guidelines that support the Policy.
- The Sponsor of any speaker, event, demonstration, etc. must be clearly identified in all publicity materials for the event, and at the beginning of the event itself.
- If the Vice President for College Life and Dean of Students (in consultation with other College staff/faculty members) determines that additional security measures are necessary to assure compliance with the Policy on Freedom of Public Expression,

the Sponsor must agree to such additional security and shall be responsible for the cost of these additional security measures.

- Individual members of the College community can serve as sponsors only through the support of their department or recognized student organization.

2) Prior Notice:

For public expression by members of the College community: Members of the College community are encouraged to give prior notice of their plans to the Vice President for College Life and Dean of Students, at least 24 working hours prior to the event. Faculty members are encouraged to give prior notice of their plans to the Provost's Office, at least 24 working hours prior to the event. This prior notice will help assure that this policy and these guidelines are followed.

For public expression by non-members of the College community: Student organization and administrative department sponsors (from the College community) of public expression activity by non-members of the College community must give prior notice of their plans to the Vice President for College Life and Dean of Students, at least 48 working hours prior to the event. Academic department sponsors of non-members of the College community must give prior notice of their plans to the Provost's Office, at least 48 working hours prior to the event. This prior notice will help assure that this policy and these guidelines are followed.

3) Location:

For public expression by members of the College community:

The College reserves the right to relocate or suspend any assembly that becomes disruptive to the normal operations of the College or that violates College policy.

The area in front of Plank Gym is an example of a location that meets the fundamental principles described in this policy. Groups are encouraged to consider the front of Plank Gym as a primary location for public expression on campus.

For public expression by non-members of the College community:

The College reserves the right to designate the location for these events, to help assure that this policy and these guidelines are followed.

Amplification Equipment:

The College reserves the right to restrict the use of amplification equipment in association with any public expression activity. The use of amplification must be approved by the Vice President for College Life and Dean of Students in advance of the activity, to insure that its use does not create an unreasonable disruption to College activities.

Building of structures:

The College reserves the right to restrict the building of any structure in association with public expression. The building of any structure must be approved by the Vice President for College Life and Dean of Students in advance of the activity, to insure that the structure does not create a safety hazard or an unreasonable disruption to College activities.

4) Objections to Public Free Expression Activity:

The College recognizes that individuals or groups may be opposed to certain acts of public expression. Disagreement with different opinions is acceptable; however, hindering or obstructing such activity compromises the College's goal of creating an environment where issues can be openly discussed. An individual or group wishing to protest at an event may do so as long as:

The protest is held in accord with the "Time, Place, and Manner" guidelines detailed in this policy.

The speaker's ability to speak and the audience's right to see and to hear a speaker are not unreasonably impeded.

- 5) Guidelines for the Public Distribution of Written Materials:  
Non-College Individuals and Organizations are not permitted to publicly distribute written materials on College property unless they are invited and sponsored by an academic/administrative department or a recognized student organization.

Student(s), student organizations, and academic/administrative departments are permitted to publicly distribute written materials in accordance with this Policy and Guidelines on Freedom of Public Expression

- 6) Location Guidelines for Posting of Written Materials:  
College Union Building: Posting permitted only on designated bulletin boards. No posting is permitted on boards designated for administrative department use.

Academic and Administrative Buildings:

Postings permitted only on designated bulletin boards/posting areas. No posting permitted on boards/areas designated for academic or administrative department use without permission of the department.

Residence Halls:

Posting permitted in accordance with the policies of the department of Residence Life.

No Other Locations:

No postings may be made in any location other than those designated in these Guidelines without prior approval from the Vice President for College Life and Dean of Students.

Identification:

Any postings must clearly identify the organization/individual responsible for the posting.

Time period for posting:

All postings must be dated. Any out of date postings may be removed by the College.

Chalking:

Chalking is permitted on concrete walkways and plazas. Chalking is not permitted on the walls of any buildings, or on any brick surfaces.

Failure to comply with these guidelines:

May result in removal of the posting/chalking in question.

- 7) Disciplinary and Criminal Actions  
The Vice President for College Life and Dean of Students or his/her designee will be responsible for administering this policy. Violations of this policy are subject to conduct review and disciplinary sanctions, as are demonstrations that become disruptive. Charges against students will be resolved through the College's judicial process, according to the Student Code of Conduct. Faculty and staff disciplinary procedures will be processed according to guidelines established by the Faculty Handbook, the Administrator Handbook, and the Support Staff Handbook. Non-College groups or individuals acting in violation of this policy will be required to leave campus, and may be referred to the Gettysburg Police in the event of criminal action. Any police arrests and criminal charges are separate from judicial actions at Gettysburg College.
- 8) Communications Media  
The principles of free inquiry, expression, and dissent enunciated above apply to student communications media of Gettysburg College. The freedom of student editors and managers

entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, slander, obscenity, undocumented allegations, and the techniques of harassment and innuendo. All student communications media must explicitly state that the opinions there expressed are not necessarily those of the College or student body.

Editors and managers of student communications media are protected from arbitrary suspension or removal because of student, faculty, administrative, or public disapproval of editorial policy or content. Orderly procedures for the selection and removal of editors and managers are established by the organization involved and subject to review by the Student Life Council or its delegate.

Since Gettysburg College assists student communications media by providing funds and facilities, it may incur legal liability for the content and operation of such publications.

Within the limits imposed by such canons of responsible journalism as are catalogued above, the College is committed to freedom of expression in order that student communications media may preserve their integrity of purpose. When these limits are exceeded, the College reserves the right to take such action as may be necessary by virtue of its legal responsibility and its potential liability.

#### 4. Property

##### A. College

Generally speaking, the facilities of Gettysburg College are for the use of all who comprise this institution. For any member of the community to damage, destroy, or otherwise impair the effective use of these mutually shared facilities is to deny to others the full measure of their participation in this community. The students of Gettysburg College have the right to the effective use of these facilities subject to reasonable regulation established by the College. They have the corresponding responsibility to maintain these facilities unimpaired for the use of all.

##### B. Personal

Theft, vandalism, or other abuse of individual personal property leads to the impairment of the community function through fear, disruptive suspicion, and a preoccupation with security measures. Students of Gettysburg College have the right to expect their own individual personal property to be kept inviolate. Students have the corresponding responsibility to maintain the individual personal property.

The College has a responsibility to protect its guests and authorized visitors from mistreatment or danger, and expects student cooperation in exercising that responsibility.

### **Governance Rights and Responsibilities**

#### 1. General

Upon matriculation, students, individually and collectively, become members of an educational community. Students have the right to formal participation in a student government by means of which they may express their opinions and influence the policy of the institution. Students have the right to determine the structures of said government.

#### 2. Representation

Students, through membership in certain faculty and College committees, and through representation at faculty meetings, shall have the opportunity to participate in the formulation and application of institutional policy affecting academic and student affairs. Students shall have the right to participate in the selection of the student representatives to such bodies. Since the actions of its members reflect on the College community, students have the responsibility to uphold the standards of that community.

In exercising their right to participate in student governance, student representatives have the responsibility to:

##### A. Participate seriously in good faith.

- B. Gather the views of their constituents and relay these views to the committees, commissions, and boards on which they serve.
- C. Communicate and interpret to their constituent's matters under consideration and actions taken.
- D. Serve and respond to their constituents.
- E. Abide by the decisions of these committees, commissions, and boards.

The student body, like other College constituencies, has the responsibility to be informed, to communicate its concerns and desires to its representatives, and to abide by the decisions of College governance bodies.

**Grievance Procedures**

Where there are not clearly established procedures for redress of student grievances involving the rights and policies in this document, a student may appeal to the Vice President for College Life and Dean of Students. The Vice President for College Life and Dean of Students will determine an appropriate means by which to address these concerns.

# CODE OF CONDUCT

## **Philosophy**

Gettysburg College seeks to establish and maintain an environment that provides for the development of the young adult as a whole person with an emphasis on inquiry, integrity, and mutual respect. The College expects its students to conduct themselves in all places and at all times in such a manner as to show respect for themselves, others, and the community. The Gettysburg College community fosters respect for the rights and dignity of all residents, including members of both majority and minority groups. Gettysburg College students are members of the academic College community, the greater Gettysburg community, and global society and are expected to abide by the College's policies at all times.

## **Article I - Definitions**

1. The term College means Gettysburg College.
2. The term "student" includes:
  - A. All persons taking courses at the College, either full-time or part-time, and guest students pursuing undergraduate studies.
  - B. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College.
  - C. Accepted students who have matriculated at the College (each incoming class matriculates on June 1).
  - D. Persons who are living in College residence halls, although not enrolled at this institution.

This Student Code applies at all locations of the College, including affiliated programs in other states or foreign countries.

3. The term "faculty member" means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
4. The term "College official" includes any person currently employed by the College, performing assigned administrative or professional responsibilities.
5. The term "member of the College community" includes any person who is a current student, current faculty member, current College official or any other person currently employed by the College. A person's status in a particular situation shall be determined by the Director of Student Rights and Responsibilities.
6. The term "College premise" includes all land, buildings, facilities, and other property in the possession of or owned, leased, used, or controlled by the College (including adjacent streets and sidewalks).
7. The term "organization" means 1) any group of students who have registered or been recognized as a student organization by the College; 2) athletic teams; 3) fraternities or sororities; and 4) any group affiliated with or supervised by an academic program or department.
8. The term "Student Conduct Review Board" means that group of persons selected by the College to serve on a Student Conduct Review Board hearing panel which determines whether a student has violated the Student Code and recommends sanctions that may be imposed when a rules violation has been committed. The Student Conduct Review Board typically hears cases where suspension or expulsion is a possible sanction.
9. The term "Student Conduct Administrator" means a College official authorized on a case-by-case basis by the Director of Student Rights and Responsibilities to investigate and adjudicate alleged violations of the Student

Code of Conduct. The Student Conduct Administrator makes a determination regarding the charges and assigns sanctions upon any student(s) or organization found to have violated the Student Code. Student Conduct Administrators include, but are not limited to, the Vice President for College Life and Dean of Students, the Director of Student Rights and Responsibilities, Assistant/Associate Deans for College Life and members of the Residence Life staff. The Director of Student Rights and Responsibilities may authorize a College official to serve simultaneously as a Student Conduct Administrator and as one of the members of the Student Conduct Review Board.

10. The term “Appellate Person” means any person or persons authorized to consider an appeal from the determination of a Student Conduct Review Board or a Student Conduct Administrator as to whether a student has violated the Student Code or from the sanctions imposed by the Student Conduct Review Board or the Student Conduct Administrator. Typically, the Vice President for College Life and Dean of Students serves as the Appellate Person in Student Conduct Review Board cases; however, the Vice President for College Life and Dean of Students may defer appellate duties to the President of Gettysburg College in the event that s/he is significantly involved in the investigation or hearing process.

Typically, the Director of Student Rights and Responsibilities serves as the Appellate Person in cases determined by the Student Conduct Administrator. The Director of Student Rights and Responsibilities may defer appellate duties to the Vice President of College Life and Dean of Students or an Associate Dean of College Life in the event that s/he is significantly involved in the investigation or hearing process.

11. The term “shall” is used in the imperative sense.
12. The term “may” is used in the permissive sense.
13. The Director of Student Rights and Responsibilities is the person designated by the College to be responsible for the administration of the Student Code.
14. The term “policy” means the written regulations of the College as found in, but not limited to, the Handbook for Student Rights and Responsibilities, Residence Life Guidebook, the College web page and Network Use Policy, and College course catalog.
15. The term “Complainant” means any person who submits a charge alleging that a student violated this Student Code.
16. The term “Respondent” means any student who has allegedly violated the Student Code and is responding to a charge of a violation of this Student Code.

## **Article II – Student Code Authority**

1. The Director of Student Rights and Responsibilities shall determine the composition of Student Conduct Review Boards and determine which Student Conduct Review Board or Student Conduct Administrator shall be authorized to hear each matter. Typically, the Director of Student Rights and Responsibilities will refer cases to the Student Conduct Review Board, if in the determination of the Director of Student Rights and Responsibilities, suspension or expulsion are possible sanctions/outcomes from an alleged violation of policy. Incidents not rising to the suspension or expulsion standard may be heard by Student Conduct Administrators or the Student Conduct Review Board.
2. The Student Conduct Review Board
  - A. Student Conduct Review Board Membership
    - 1) Student members are appointed by the Student Senate. Senate will solicit nominations from the full student body, including outreach to major College organizations to solicit nominations

for a one year term. Senate's goal is to select a diverse pool of student Board members to represent the interests of the full College community. Students may be appointed to successive terms.

- 2) Faculty members are appointed by the Faculty Council to a one year term.
- 3) Administrative members are selected by the Vice President for College Life and Dean of Students.

**B. Student Conduct Review Board Hearing Panel**

A Student Conduct Review Board Hearing Panel is comprised of one administrator, one faculty member and three student members (all voting). A non-voting chairperson will be appointed by the Director of Student Rights and Responsibilities. No student member will have been found responsible of a major violation before or while serving on the Student Conduct Review Board. Minor cases will be reviewed by the Director of Student Rights and Responsibilities. Dismissal will be on a case-by-case basis.

When a Student Conduct Review Board panel cannot be convened, such as at the beginning or end of a semester, the Director of Student Rights and Responsibilities may convene those members of the Student Conduct Review Board available or assign the case to a Student Conduct Administrator for adjudication. In cases where a panel hearing cannot be convened, those members of the Student Conduct Review Board who are convened or the Student Conduct Administrator may suspend or expel students from the College.

- C. Absent an appeal pursuant to the process described in Article IV Section 4, below, decisions made by a Student Conduct Review Board or the Director of Student Rights and Responsibilities shall be final.

**Article III – Proscribed Conduct**

**1. Jurisdiction of the College Student Code**

The College Student Code shall apply to conduct that occurs on College premises, at College sponsored activities, and to off-campus conduct that adversely affects the College Community and/or the pursuit of its objectives. Each student shall be responsible for his/her conduct during the academic year and during periods between terms of actual enrollment. This applies in cases where conduct occurs before classes begin, after classes end, and when the conduct is not discovered until after a degree is awarded. The Student Code shall apply to a student's conduct if the student withdraws from school while a disciplinary matter is pending. Students who live off-campus are subject to all policies in the Student Code and violation of policy may lead to revocation of permission to live off-campus.

**2. Conduct – Rules and Regulations**

Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

- A. Disruption or obstruction of teaching, research, administration, disciplinary proceeding, other College activities, including its public service functions on or off campus, or of other authorized non-College activities when the conduct occurs on College premises.
- B. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, or conduct which threatens or endangers the health or safety of any person. Physical abuse includes assault and fighting and all persons engaging in a fight are subject to disciplinary action regardless of who started the fight.
- C. Attempted or actual theft and/or damage to property of the College or property of a member of the College community or other personal or public property, on or off campus. This includes theft of services.

- D. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself when requested to do so by such officials or officers, or by providing or possessing false identification to these persons when requested to do so.
- E. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry or use of College premises.
- F. Tampering with life and safety equipment such as fire extinguishers, smoke detectors, pull stations, and sprinklers. Failure to evacuate a building during a fire alarm or drill is also a violation of this rule.
- G. Violation of any College student policy, rule, or regulation published in hard copy or available electronically on the website. This includes, but is not limited to the following College policies: Alcohol and Drug Points System, Bias Related Conduct, Harassment, Anti-Hazing, Social Event, Parking, Dining, Library, Residential Life, and Computer Network Use.

Sexual Misconduct is also a violation of College policy and is defined and adjudicated as outlined in the Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors Policy. Academic conduct is defined and adjudicated through a separate policy, the Gettysburg College Honor Code.

- H. Violation of any federal, state or local law.
- I. Use, possession, transmission, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances except as expressly permitted by law. Use or possession of drug paraphernalia is also prohibited.
- J. Use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly permitted by College regulations). Alcoholic beverages may not, in any circumstances be used by, possessed by or distributed or sold to any person under twenty-one (21) years of age. Please refer to the College's Alcohol and Drug Policy Points System for details.
- K. Possession of firearms, explosives, or dangerous chemicals on College premises, including carrying or storing them in a personal vehicle on College premises, or use of any such item, even if legally possessed, is prohibited. A firearm is any weapon from which a projectile is fired by gunpowder. Possession of firearms and other weapons is inconsistent with the goals and mission of a learning community such as Gettysburg College. Students found in possession of a firearm are subject to an Interim Suspension during the investigation and pre-hearing process. For students who are found responsible at a hearing for possession of a firearm, the standard sanction is expulsion.

Other weapons or devices that are capable of inflicting a wound, injuring or incapacitating a person or persons are also prohibited. This includes, but is not limited to, archery equipment, fireworks, BB guns, airsoft guns, pellet guns, paintball guns, slingshots, martial arts devices, switchblade/open-assist knives, knives with blades exceeding 3 inches in length, swords, and clubs. For students found responsible for possession of a knife, pellet gun, or similar weapon, the standard sanction is suspension for the remainder of the current semester.

Martial arts and fencing devices are permitted if they are intended for use in College recognized martial arts or fencing teams, clubs or organizations. The College will continue to provide storage for period appropriate civil war long guns and related materials (percussion caps and powder). The College will not store any type of ammunition. For the purposes of storage, a Civil War era firearm is described as follows: any original or reproduction smoothbore or rifled barreled rifle model year 1863 or older that is fired by way of flint and pan or percussion cap, or any model year 1863 or older rifle that holds and fires one brass encased bullet at a time. Other Civil War era weapons that must be stored include bayonets and sabers. All items that are stored must belong to members of the Pennsylvania College Guard who are identified by the Director of the Civil War Institute. Black powder and percussion caps that were purchased by Pennsylvania College Guard (PCG) with PCG funds may also

be stored in the safe in the Department of Public Safety. Access to powder and percussion caps will be limited to the Director of the Civil War Institute and student(s) authorized by the Director of the Civil War Institute to have access. The Director will provide a student list to the Department of Public Safety on an annual basis.

- L. Participating in an on-campus or off-campus demonstration, riot, or activity that disrupts the normal operations of the College and/or infringes on the rights of other members of the College community. Leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
- M. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.
- N. Conduct that is disorderly or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College or members of the academic community.

Disorderly conduct includes unauthorized use of electronic or other device to make an audio or video record of any person while on College premises without his/her prior knowledge or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

- O. Failure to assure the proper conduct of a guest. All students are responsible for their guests, whether that guest is a student or a non-college person, and must ensure that their guests are not violating college policy.
- P. Theft or other abuse of computer facilities and resources, including but not limited to:
  - 1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - 2) Unauthorized transfer of a file.
  - 3) Use of another individual's identification and/or password.
  - 4) Use of computing facilities and resources to interfere with the work of another student, faculty member or College official.
  - 5) Use of computing facilities and resources to send or intentionally receive obscene or abusive messages.
  - 6) Use of computing facilities and resources to interfere with normal operation of the College computing system.
  - 7) Use of computing facilities and resources in violation of copyright or other laws, rules and regulations.
  - 8) Any violation of the College Network Use Policy.
- Q. Abuse of the Student Conduct System, including but not limited to:
  - 1) Failure to obey the notice from a Student Conduct Review Board or College official to appear for a meeting or hearing as part of the Student Conduct System.
  - 2) Falsification, distortion, or misrepresentation of information before a Student Conduct Review Board or Student Conduct Administrator.
  - 3) Disruption or interference with the orderly conduct of a Student Conduct Review Board proceeding.
  - 4) Institution of a student conduct code proceeding in bad faith.

- 5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
  - 6) Attempting to influence the impartiality of a member of a Student Conduct Review Board or Student Conduct Administrator prior to, and/or during the course of, the Student Conduct Review Board proceeding.
  - 7) Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Review Board or Student Conduct Administrator prior to, during, and/or after a student conduct code proceeding.
  - 8) Failure to comply with sanction(s) imposed under the Student Code.
  - 9) Influencing or attempting to influence another person to commit an abuse of the student conduct code system.
- R. Students are required to engage in responsible social conduct that reflects credit upon the College community and to model good citizenship in any community.

### 3. Violation of Law & College Discipline

- A. College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and this Student Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the Director of Student Rights and Responsibilities. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal defendant.

If a violation of law which also would be a violation of this Student Code is alleged, and the adjudication of College charges may substantially interfere with a student's criminal defense, the student may withdraw from the College until such time the criminal process has been exhausted. A student choosing to withdraw from the College while facing College and criminal charges shall have a hearing on the alleged violation prior to readmission to the College. The College will conduct an investigation following the incident.

- B. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also being processed under the Student Code, the College may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled within the College community. The College will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the College community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

## **Article IV – Student Conduct Code Procedures for Individual Students**

### 1. Charges and Student Conduct Review Board hearings

- A. Any member of the College community may file charges against a student for violation of the Student Code. A charge shall be prepared in writing and directed to the Director of Student Rights and Responsibilities. Any charge should be submitted as soon as possible after the event takes place. The Director of Student Rights and Responsibilities will determine the appropriate hearing body: a Student Conduct Administrator or the Student Conduct Review Board.

- B. The Director of Student Rights and Responsibilities may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Director of Student Rights and Responsibilities. Disposition upon mutual consent shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Director of Student Rights and Responsibilities will determine the appropriate hearing body: a Student Conduct Administrator or the Student Conduct Review Board.
- C. In cases assigned to a Student Conduct Administrator, the Student Conduct Administrator will determine if a violation of policy has occurred and assign sanctions. The Respondent student may appeal this decision within seven (7) College business days. If the student admits violating institutional rules, but sanctions are not agreed to, the appeal shall be limited to determining the appropriate sanction (s). Please see Article IV (4) for more information on this process.
- D. In cases assigned to a Student Conduct Review Board, all charges shall be presented to the respondent in written form. A time shall be set for a Student Conduct Review Board Hearing, not less than five nor more than fifteen calendar days after the student has been notified. Maximum time limits for scheduling of Student Conduct Review Board Hearings may be extended at the discretion of the Director of Student Rights and Responsibilities.
- 1) The Respondent and Complainant may request the removal of a member of the Student Conduct Review Board hearing panel if the student feels that the member may not be fair or impartial. This request, including rationale, must be submitted to the Director of Student Rights and Responsibilities in writing at least 48 hours in advance of the hearing. The final decision to remove a member of the panel is at the discretion of the Director of Student Rights and Responsibilities.
  - 2) The Respondent and/or Complainant may each request one postponement of the hearing for a justifiable cause. This request must be submitted in writing to the Director of Student Rights and Responsibilities and his/her decision to postpone or not postpone the hearing is final.
  - 3) Student Conduct Review Board Hearings shall be conducted by a Student Conduct Review Board according to the following guidelines except as provided by article IV (1)(D)(6) below:
    - i. Student Conduct Review Board Hearings normally shall be conducted in private.
    - ii. The Complainant, Respondent and their advisors, if any, shall be allowed to attend the entire Student Conduct Review Board Hearing at which information is received (excluding deliberations). This includes presentation of witness information and all questioning of witnesses, the Complainant, and the Respondent. Admission of any other person to the Student Conduct Review Board Hearing shall be at the discretion of the Student Conduct Review Board and/or its Chairperson.
    - iii. In Student Conduct Review Board Hearings involving more than one Respondent, the Chairperson and/or the Director of Student Rights and Responsibilities, in his or her discretion, may permit the Student Conduct Review Board Hearings concerning each student to be conducted either separately or jointly.
    - iv. The Complainant and the Respondent have the right to be assisted by an advisor they choose. The advisor must be a member of the College community and may not be an attorney. The Complainant and/or the Respondent is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Student Conduct Review Board Hearing before a Student Conduct Review Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct

Review Board Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

- v. The Complainant, the Respondent, and the Student Conduct Review Board may arrange for witnesses to present pertinent information to the Student Conduct Review Board. The College will try to arrange the attendance of possible witnesses who are members of the College community, if reasonably possible, and who are identified by the Complainant and/or Respondent at least two weekdays prior to the Student Conduct Review Board Hearing. Witnesses will provide information to and answer questions relevant to the incident from the Student Conduct Review Board. Questions may be suggested by the Respondent and/or Complainant to be answered by each other or by other witnesses. This will be conducted by the Student Conduct Review Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the Chairperson of the Student Conduct Review Board. The Respondent and Complainant must submit a list of witnesses to be called at least 48 hours prior to the hearing. A list of all witnesses will be made available to the Respondent and Complainant at least 24 hours prior to the hearing.
  - vi. Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by a Student Conduct Review Board at the discretion of the Chairperson.
  - vii. All procedural questions are subject to the final decision of the Chairperson of the Student Conduct Review Board.
  - viii. After the portion of the Student Conduct Review Board Hearing concludes in which all pertinent information has been received, the Student Conduct Review Board shall determine (by majority vote) whether the Respondent has violated each section of the Student Code which the student is charged with violating.
  - ix. The Student Conduct Review Board's determination shall be made on the basis of whether it is more likely than not, or by a preponderance of the information, that the Respondent violated the Student Code.
  - x. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code proceedings.
  - xi. The Respondent will be notified verbally of the hearing outcome at the conclusion of the hearing and will be notified of the decision in writing within 48 hours. If applicable, the Complainant will be notified of the outcome verbally.
- 4) There shall be a single verbatim record, such as a tape recording, of all Student Conduct Review Board Hearings before a Student Conduct Review Board (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the College and will be kept until the end of the appeal process, at which time it shall be destroyed.
  - 5) If a Respondent, with notice, does not appear before a Student Conduct Review Board Hearing, the information in support of the charges, and any information that tends to dispute the charges, if known, shall be presented and considered even if the Respondent is not present.

- 6) The Student Conduct Review Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, and/or witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statements, or other means, where and as determined in the sole judgment of Director of Student Rights and Responsibilities to be appropriate.

## 2. Sanctions

The following sanctions may be imposed upon any student found to have violated the Student Code:

- A. Warning -- a notice in writing to the student that the student is violating or has violated institutional regulations.
- B. Conduct Probation -- a written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions, such as suspension or expulsion, if the student is found to violate any institutional regulation(s) during the probationary period. A letter will be sent to parents or guardians notifying them of this sanction. Students on probation are normally not permitted to live off-campus, join a Greek letter social organization, or study off-campus.
- C. Loss of Privileges -- denial of specified privileges for a designated period of time. This includes, but is not limited to, loss of position in club or organization, suspension from athletic team or performing group, loss of privileges to use specified facilities, prohibition from participation in co-curricular activities, loss of privilege to have car on campus, loss of privilege to live in residence hall or lottery system, restricted access to a fraternity chapter house.
- D. Fines -- previously established and published fines may be imposed.
- E. Restitution -- compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- F. Discretionary Sanctions -- work assignments, essays, behavioral contracts, alcohol and drug assessment or substance use advising, service to the College, community service, or other related discretionary assignments.
- G. "No contact" agreement -- the College may work with students to develop a "no contact" agreement when appropriate. A "no contact" agreement may be developed in order to facilitate any College inquiry into an incident and/or be developed as a sanction. Generally, "no contact" is defined as having no direct or indirect contact between two or more students at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" agreement may include additional restrictions and terms.
- H. "No contact" directive -- the College may impose a "no contact" directive in cases where an agreement cannot be reached or is not applicable. Generally, "no contact" is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" directive may include additional restrictions and terms.
- I. Residence Hall Relocation -- students may be assigned to a different residential space on campus if they violate policy or demonstrate an inability to continue living in their current community or room.

- J. Residence Hall Separation -- separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission to the residence halls may be specified.
- K. College Suspension -- separation of the student from the College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. Students who are suspended forfeit all fees that have been paid to the College; are ineligible to visit the campus (including fraternity chapter houses) unless permission is granted by the Director of Student Rights and Responsibilities. In addition, a 'suspension' notation is placed on their College transcript until the term of suspension has expired (notation changed to 'withdrew' after suspension ends). Students must seek readmission as outlined in the Academic Procedures section of the Handbook. A letter will be sent to parents or guardians notifying them of this sanction.
- L. College Expulsion -- permanent separation of the student from the College. A letter will be sent to parents or guardian notifying them of this sanction.
- M. Revocation of Admission -- Gettysburg College reserves the right to revoke admission to admitted or deposited students for fraud, misrepresentation, violation of College standards, or for other serious violations committed by a student prior to enrolling at Gettysburg. The Director of Admissions along with the Vice President of Enrollment and Educational Services will handle all revocations with consultation from the Vice President for College Life and Dean of Students.

Incoming students matriculate on June 1 of each year and as of this date they are expected to comply with the conduct outlined in the Gettysburg College Student Code of Conduct Handbook. Violations could lead to a revocation of admission. The Vice President for College Life and Dean of Students in consultation with the Vice President of Enrollment and Educational Services will handle all revocation of newly matriculated students.

- N. Revocation Degree -- Gettysburg College reserves the right to revoke a degree awarded from the College for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- O. Withholding Diploma -- the College may withhold a student's diploma for a specified period of time if that student has judicial charges pending or the student was found responsible for violating policy and the Student Conduct Review Board or the Director of Student Rights and Responsibilities assigns this as a sanction. The student may also be denied participation in graduation while charges are pending or as a sanction.

In addition, the College may withhold a student's transcript if the student has judicial charges pending or the student was found responsible for violating policy and the Student Conduct Review Board or the Director of Student Rights & Responsibilities assigns this as a sanction.

More than one of the sanctions listed above may be imposed for any single violation.

- 3. Interim Suspension – In certain circumstances, the Vice President for College Life and Dean of Students, or a designee, may impose an interim College or residence hall suspension prior to the Student Conduct Review Board Hearing.
  - A. Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the College community or preservation of College property; b) to ensure the student's own physical or emotional safety & well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.
  - B. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other College activities or privileges for which the student might

otherwise be eligible, as the Vice President for College Life and Dean of Students or the Director of Student Rights and Responsibilities may determine to be appropriate.

- C. Interim suspension will not be placed on a student's official, permanent academic record.
- D. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Review Board Hearing, if required. However, the student should be notified in writing of this action and the reasons for the suspension. The student will also be notified of the time, date, and place of a subsequent Student Conduct Review Board Hearing.

#### 4. Appeals

- A. A decision reached by a Student Conduct Review Board may be appealed by the Respondent(s) and/or Complainant(s) to the Vice President for College Life and Dean of Students within seven (7) school days of the decision. Such appeals shall be in writing. See Article IV (D) (2) and (3) below.
- B. A decision reached or a sanction imposed by a Student Conduct Administrator may be appealed by the Respondent to the Director of Student Rights and Responsibilities. In these cases, the Director of Student Rights and Responsibilities will review the information available and either change the finding and/or sanctions or uphold the original decision. The Director of Student Rights and Responsibilities' decision is final and binding upon all involved.

In cases where the Director of Student Rights and Responsibilities is the Student Conduct Administrator adjudicating a case, the Vice President for College Life and Dean of Students or an Associate Dean serves as the appellate person.

- C. Reasons for appeal – In cases assigned to a Student Conduct Review Board, the Respondent or Complainant may appeal a decision or a sanction in a case for the following reasons:
  - 1) To determine whether the sanction(s) imposed was/were appropriate for the violation of policy for which the student was found responsible
  - 2) To determine if procedural error or absence of conformity with prescribed procedures during the investigative stage or at the hearing prevented either the Complainant or the Respondent a reasonable opportunity to prepare and present information to the investigator or the Student Conduct Review Board
  - 3) To determine if new information has been discovered that was not available at the time of the investigative process and could have affected the outcome of the case.
- D. If an appeal is permitted by the Vice President for College Life and Dean of Students, based on one or more of the foregoing three reasons, he or she may, upon a review of the information presented, adjust the finding, adjust the sanction or refer the matter to the Student Conduct Review Board or Director of Student Rights and Responsibilities for re-opening of a hearing to allow reconsideration of the original determination and/or sanctions. If an appeal is not permitted, the matter shall be considered final and binding upon all involved.

#### 5. Student Conduct Records

- A. Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Within 45 days of graduation, students' disciplinary records shall be expunged of disciplinary actions other than College suspension and College expulsion unless there are pending criminal or civil matters requiring retention of the record. Records of students who have been suspended will be retained for five years. Records of

students who have been expelled will be retained indefinitely. Records of students who have withdrawn from the College will be retained for five years.

- B. In situations involving both a Respondent(s) and a student(s) claiming to be the victim of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Respondent(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

#### **Article V – Student Conduct Code Procedures and Sanctions for Student Groups/Organizations**

##### 1. Student groups are subject to the conduct expectations detailed in Article III.

- A. Any member of the College community may file charges against a student group/organization for violation of the Student Code. A charge shall be prepared in writing and directed to the Director of Student Rights and Responsibilities. Any charge should be submitted as soon as possible after the event takes place. For cases involving a social fraternity or sorority, the case may be referred to the Director of Greek Organizations. The Director of Student Rights and Responsibilities will be directly involved with cases involving all other student groups/organizations on campus.
- B. The Director of Student Rights and Responsibilities or Director of Greek Organizations may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Director of Student Rights and Responsibilities or Director of Greek Organizations. Disposition upon mutual consent shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Director of Student Rights and Responsibilities or Director of Greek Organizations will adjudicate the case.
- C. The Director of Student Rights and Responsibilities or Director of Greek Organizations may confer with the student group/organization's advisor(s) and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case.
- D. The Director of Student Rights and Responsibilities or Director of Greek Organizations will determine if a violation of policy has occurred and assign sanctions. The Student Conduct Review Board or Greek Judicial Review Board may be convened by the Director of Student Rights and Responsibilities or the Director of Greek Organizations to serve in an advisory role. In cases where the Student Conduct Review Board or Greek Judicial Review Board serve in this role, the findings and sanctions determined by the board are recommendations to the person convening the board. The sanctions will be imposed by the Director of Student Rights and Responsibilities or Director of Greek Organizations.

##### 2. Sanctions

The following sanctions may be imposed upon groups or organizations:

- A. Those sanctions listed above in Article IV (2) (A-O).
- B. Social Probation -- loss of privilege to host social events on campus, in fraternity chapter houses or off-campus for a specified period of time. Social probation may include all events or only social events with alcohol.
- C. Loss of selected rights and privileges for a specified period of time. This includes use of the College's name, use of College facilities and services, use of College or Student Senate funds, participation in College events, participation in intramural sports, recruitment of members.
- D. Deactivation. Loss of all privileges, including College recognition, for a specified period of time. When a College organization fails to fulfill the College's expectations or violates the terms of

previously imposed conduct probation, the Vice President for College Life and Dean of Students may decide to terminate the recognition of or deactivate the organization. The Vice President for College Life and Dean of Students may consult with the Student Conduct Review Board on the question of suspension of a College organization, or the termination of the recognition of a College organization, if he or she so chooses.

3. Appeals may be filed with the Vice President for College Life and Dean of Students. Please see the appeal guidelines presented in Article IV (4) (A-D). If the Vice President for College Life and Dean of Students adjudicated the matter then he or she may defer appellate responsibilities to the President.

**Article VI – Interpretation and Revision**

1. Any questions of interpretation or application of the Student Code shall be referred to the Vice President for College Life and Dean of Students or his or her designee for final determination.
2. The Student Code, in part or in its entirety, shall be reviewed annually by the Student Life Committee.
3. This Code of Conduct was approved by the Student Life Committee on April 30, 2008.

## ALCOHOL AND DRUG POLICY POINTS SYSTEM

The Points System was designed in order to provide clarity around how the College will respond to alcohol, drug and related violations. Students will meet with the appropriate student conduct administrator or hearing body in order to determine if a violation of policy did occur. Once this determination is made, the corresponding number of points and other required sanctions will be assigned. Students will receive this information from the student conduct administrator in writing once the administrative or Student Conduct Review Board hearing is complete. If you have questions about the Points System, please contact the Office of Student Rights & Responsibilities at x6900 or visit us in CUB220.

Item #	Point Value	Violation	Fine	Required Sanctions
<b>A</b>	<b>0</b>	Underage student present in a location where the alcohol policy is violated who has a BAC of .00 following a voluntary test <ul style="list-style-type: none"> <li>• Students may choose to take a voluntary breathalyzer test as a way to prove innocence in this situation. Otherwise, the student conduct administrator will use all other available evidence (e.g. observations of Public Safety, RA, other witnesses) determine whether the student was drinking.</li> </ul>		
<b>B</b>	<b>0</b>	Medical Amnesty: Underage student who has consumed alcohol <b>who seeks assistance for another in need of emergency care.</b>		
<b>C</b>	<b>1</b>	Medical Amnesty: a student who <b>engages in drinking practices or activities that seriously threaten one’s health and life</b> (e.g. transported to the hospital for alcohol or drug consumption), who seeks help for self or has an RA/RC/CL or a friend seek help for him/her. <i>One time opportunity.</i>		<ul style="list-style-type: none"> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Counseling Assessment - *see note below grid*</li> </ul>
<b>D</b>	<b>1</b>	Consumption/possession of alcohol by an underage guest of a student	\$50	
<b>E</b>	<b>2</b>	Underage consumption/possession of alcohol (alcohol content less than 16%) <ul style="list-style-type: none"> <li>• See “behavioral guidelines” chart for additional points assigned for problem behaviors that occur in association with alcohol use.</li> </ul>	\$50	Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*
<b>F</b>	<b>2</b>	For students 21+ - Public drunkenness, engaging in alcohol-related disruptive behavior or vandalism/damage to property. <ul style="list-style-type: none"> <li>• See “behavioral guidelines” chart for additional points assigned for problem behaviors that occur in association with alcohol use.</li> </ul>		Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*

Item #	Point Value	Violation	Fine	Required Sanctions
<b>G</b>	<b>2</b>	Possession of an open container of alcohol, regardless of age, in any location other than a residence hall room/apartment/house.	\$50	Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*
<b>H</b>	<b>2</b>	Consumption of alcohol by an underage student who is subject to hazing pressures or activities. <ul style="list-style-type: none"> <li>If the student is physically compelled to drink, and pursues campus conduct remedies, no points or sanctions attach to the student who consumed.</li> </ul>	\$50	Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*
<b>I</b>	<b>3</b>	Underage possession of <b>hard alcohol</b> (alcohol content of 16% or more)	\$100	Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*
<b>J</b>	<b>3</b>	Providing alcohol to an underage person (alcohol content less than 16%) <ul style="list-style-type: none"> <li>Student 21+ providing alcohol to an underage person, which is not consumed in the residence of the 21+ student.</li> </ul>	\$50	Educational Program (Second Look, BASICS, or Counseling Assessment) - *see note below grid*
<b>K</b>	<b>4</b>	Accumulation of 4 or more points		<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> </ul>
<b>L</b>	<b>4</b>	Underage consumption of <b>hard alcohol</b> (alcohol content of 16% or more)	\$100	<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> <li>Counseling Assessment</li> </ul> *see note below grid*
<b>M</b>	<b>4</b>	Hosting (in your place of residence) a social event with alcohol which involves disruptive behavior, underage drinking, or other violations of College policy.	\$50	<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> <li>Counseling Assessment</li> </ul> *see note below grid*
<b>N</b>	<b>4</b>	Use or possession of marijuana or marijuana paraphernalia	\$100	<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> <li>Counseling Assessment</li> </ul> *see note below grid*
<b>O</b>	<b>5</b>	Accumulation of 5 or more points		<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> <li>Prohibited from living off-campus</li> </ul>
<b>P</b>	<b>5</b>	Possession of a large common source of alcohol (e.g. keg or barrel, punch with alcohol, etc.), regardless of age on college premise or college managed properties.	\$250	<ul style="list-style-type: none"> <li>Parental/Coach/Academic Advisor Notification</li> <li>Counseling Assessment</li> </ul> *see note below grid* <ul style="list-style-type: none"> <li>Prohibited from living off-campus</li> </ul>

Item #	Point Value	Violation	Fine	Required Sanctions
<b>Q</b>	<b>6</b>	Accumulation of 6 or more points		<ul style="list-style-type: none"> <li>• Counseling Assessment *see note below grid*</li> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Prohibited from living off-campus</li> <li>• Prohibited from joining a fraternity or sorority</li> <li>• Prohibited from studying in an off-campus/study abroad program</li> </ul>
<b>R</b>	<b>6</b>	Providing <b>hard alcohol</b> (alcohol content of 16% or more) to an underage person <ul style="list-style-type: none"> <li>• Student 21+ providing hard alcohol to an underage person, which is not consumed in the residence of the 21+ student.</li> </ul>	\$100	<ul style="list-style-type: none"> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Prohibited from living off-campus</li> <li>• Prohibited from joining a fraternity or sorority</li> <li>• Prohibited from studying in an off-campus/study abroad program</li> </ul>
<b>S</b>	<b>7</b>	Accumulation of 7 or more points		<ul style="list-style-type: none"> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Prohibited from living off-campus</li> <li>• Prohibited from joining a fraternity or sorority</li> <li>• Prohibited from studying in an off-campus/study abroad program</li> </ul>
<b>T</b>	<b>8</b>	Engaging in drinking practices that seriously threaten one's health or life (e.g. transported to the hospital for alcohol or drug consumption) – when student does not seek help for themselves, or when a friend does not seek help for them (e.g. they are found by Security or the police)		<ul style="list-style-type: none"> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Counseling Assessment *see note below grid*</li> <li>• Prohibited from living off-campus</li> <li>• Prohibited from joining a fraternity or sorority</li> <li>• Prohibited from studying in an off-campus/study abroad program</li> </ul>
<b>U</b>	<b>9</b>	Drinking and Driving - regardless of age <ul style="list-style-type: none"> <li>• Driving with alcohol in system w/BAC of .08 or higher</li> <li>• If under 21 – Driving with alcohol in system w/BAC of .02 or higher</li> <li>• or, charged by the police with Driving Under the Influence (DUI)</li> </ul>		<ul style="list-style-type: none"> <li>• Parental/Coach/Academic Advisor Notification</li> <li>• Counseling Assessment *see note below grid*</li> <li>• Prohibited from living off-campus</li> <li>• Prohibited from joining a fraternity or sorority</li> <li>• Prohibited from studying in an off-campus/study abroad program</li> </ul>

Item #	Point Value	Violation	Fine	Required Sanctions
V	10	Accumulation of 10 or more points in violation of College policy		Alcohol and Drug Required Leave
W	10	Use or possession of illegal drugs other than marijuana		Alcohol and Drug Required Leave
X	10	Selling/distributing illegal drugs (including, but not limited to, marijuana)		Alcohol and Drug Required Leave

**Behavioral Guidelines:**

Engaging in these behaviors, in association with alcohol/drug use, will result in additional points being assigned. Note: Serious instances of any of these behaviors, whether alcohol-related or not, could also be referred to the College Judicial System (either a student conduct officer or the Student Conduct Review Board, depending on the seriousness of the charges) for consideration of possible conduct probation, suspension or expulsion (along with other sanctions, as detailed in the Handbook of Student Rights & Responsibilities)

Item #	Additional Points	Violation	Other sanctions
AA	0	Repeated alcohol-related violation <b>within the same semester</b>	\$100 fine
BB	2	Damaging College property, or the property of another	Restitution for damage
CC	2	Participating in drinking games	
DD	2	Failure to cooperate with a College official or local law enforcement official	
EE	2	Disruptive public behavior (e.g. excessive public noise, public drunkenness, screaming/cursing in public, other of forms of public disorderly conduct)	
FF	2	Possession or use of a false I.D.; providing false information to a College official	
GG	2	Other forms of Disorderly Conduct – as determined by the student conduct administrator hearing the case	

**Educational Programs & Counseling:**

It is important that educational programs and counseling assessments be completed immediately following the assignment of sanctions. Letters from the Office of Student Rights and Responsibilities will note the type of educational/counseling program the student is assigned and the date that it should be completed.

- **Second Look** – CHEERS peer educators facilitate a 1 ½ hour program that gives participants the opportunity to examine attitudes and perceptions and how these influence behavior. Students are given strategies to reduce risks.
- **BASICS** – This is a two part program with one group meeting and one individual meeting with Counseling Services. The program provides students with the opportunity to assess their substance use, to set goals, and to get support for effecting positive change in their lives.
- **Counseling Assessment** – Students participate in a confidential individual assessment of their alcohol and other drug use by Counseling Services staff. This usually involves attending two, one hour sessions. The counselor then shares the written assessment and recommendations with the student.
- **Expectations for Participation:**
  - **Second Look and BASICS** – Students are expected to attend the session they are assigned, which will take place at least 2 weeks from the date of the sanction letter. If students have a scheduling conflict then they should contact the Office of Student Rights and Responsibilities. **If students do not attend their first scheduled meeting then they will be reassigned and they will forfeit their “point forgiveness” point for the following semester.** If they fail to attend their second scheduled meeting then they will incur a fine, and will have an academic hold placed on their

record which limits registration and transcript release. The academic hold will be lifted after they attend their assigned meeting.

- **Counseling Assessment** – Students are expected to complete their first appointment within 2 weeks from the date on the sanction letter. **If students do not meet this expectation, they forfeit their “point forgiveness” point for the following semester.** If they continue to fail to schedule and attend their first appointment then they will incur a fine, and will have an academic hold placed on their record which limits registration and transcript release. The academic hold will be lifted after they attend their assigned meeting.

## **DEFINITIONS AND NOTES:**

**Advisor notification:** Advisors for student organizations of which the student is a member may also be informed of violations –

- When the student conduct administrator hearing the case believes that this would be helpful to the student
- When the advisor requests such information

### **Alcohol and Drug Required Leave**

A key component of Gettysburg College’s mission is to provide a safe environment where students are able to pursue their academic and social goals. The College may require a student to take a leave of absence if a student illustrates that he or she is repeatedly unable to make sound and safe decisions about alcohol and drug use, or the student engages in drinking or drug use that threatens the life, health and safety of one’s self or others. This term of Alcohol and Drug Required Leave will be invoked for significant or repeated violations of the terms of the College’s Alcohol and Drug Policy Points System.

The Vice President for College Life and Dean of Students will determine the terms of the Alcohol and Drug Required Leave. If a student violates the terms of the Alcohol and Drug Policy Points System by reaching or exceeding ten points, the terms of the Alcohol and Drug Required Leave will normally include a provision for the student to receive care (medical, psychiatric, psychological, counseling, or therapy) while on leave. Our procedures will follow the protocol outlined in the Medical Leave of Absence and Withdrawal Policy on page 5 of the Handbook of Student Rights and Responsibilities. The Vice President for College Life and Dean of Students may identify additional criteria in order to return to campus. The Vice President for College Life and Dean of Students, in consultation with Health and Counseling Services, will determine if all criteria have been met and if the student is eligible to return. If a student is required to leave during the fall semester, normally the leave will be extended to the entire spring semester as well.

A student returning from Required Leave will have 5 points on their record upon return.

A student that accumulates 10 or more points for a SECOND time during their Gettysburg career will be referred to the Student Conduct Review Board for consideration of suspension/expulsion, along with any sanctions assigned through the point system process.

Instances of any of these behaviors, whether alcohol-related or not, could also be referred to the Student Conduct Review Board for consideration of possible suspension or expulsion (along with other sanctions, as detailed in the Handbook of Student Rights and Responsibilities). **Note on Suspension:** students who are suspended from the College during an academic semester normally do not receive any refund on their tuition or housing fees for that semester.

**BAC testing:** Is done only by Public Safety and the local Police, at the discretion of the officer addressing the situation. RAs will not administer breathalyzer tests. Security may ask students to take a voluntary breathalyzer test in order to demonstrate that they have not been drinking. Security may also ask students to take a breathalyzer test to help assess the need for medical treatment.

### **Engaging in drinking practices or activities that seriously threaten one’s health and life – second occurrence:**

The Vice President for College Life and Dean of Students will convene the Student Behavioral Assessment Committee to review each individual case. The committee includes the Vice President for College Life and Dean of

Students and representatives from the following offices: Student Rights and Responsibilities, Residence Life, Counseling, Public Safety, and Academic Advising. The committee will assess the student's ability to safely manage the college environment in relation to alcohol/other substance use. This committee will, as part of this assessment, determine whether an Alcohol and Drug Required Leave is an appropriate response to the situation in question.

**Medical Amnesty:** To receive medical amnesty, the student seeking assistance for the sick student must

- Be the first person to contact Public Safety to report that a person needs medical assistance due to alcohol consumption
- The calling student must provide his/her own name to Public Safety when they call
- The student calling must remain with the person needing medical assistance until Public Safety arrives and the need for their presence has ended

**Multiple violations in one incident:** The student will be assigned the point value of the most serious violation.

**Other Potential Sanctions:** In addition to the sanctions listed here, Hearing Officers/the Student Conduct Review Board may also assign other sanctions, depending on the specific circumstances of the situation. These sanctions include, but are not limited to: reflective essays, educational activities, anger management assessment, service hours, restriction/loss of parking privileges, residence hall separation, counseling assessment, alcohol education programs, requirement to submit to breathalyzer test in the event of future incidents, apology, financial reparations. See the Handbook of Student Rights and Responsibilities for a complete list of possible sanctions.

**Point Forgiveness:**

- For each semester that a student is not involved in **any violations** of College Policy, (including for example residential guidelines, network use policy, etc.) ONE point will be removed from their record.
- To qualify for the removal of one point from their record, as described above, students must meet the scheduling expectations for educational programming and counseling sessions at the time of the initial violation (see the Educational Programming and Counseling section above for more details).
- Students that successfully complete an optional alcohol education program (through Counseling Services) have ONE point removed from their record.
- No more than 3 points can be forgiven for a student in one academic year; no more than 2 points can be forgiven for a student in one semester.
- Points cannot be forgiven for a previous violation if a student is being investigated for (or has been charged with) a new violation, until the new violation has been fully adjudicated.
- If a student accumulates 9 points and is able to drop their point total to 6 through point forgiveness and educational programming (includes a year without any policy violations), he/she can petition the Office of Student Rights and Responsibilities for authorization to participate in a specially designed point forgiveness program with Counseling to drop down to 5 points and therefore be eligible for off-campus study.

# **POLICY ON SEXUAL MISCONDUCT, SEXUAL HARASSMENT AND SEXUALLY INAPPROPRIATE BEHAVIORS**

## **1. Introduction**

Gettysburg College is a residential college committed to providing a safe and healthy environment that supports student growth and development. To this end, Gettysburg College will not tolerate sexual assault, sexual misconduct, sexual harassment or sexually inappropriate conduct in any form, as it interferes with and disrupts the educational environment of the campus and interferes with the rights of other students. This policy covers sexual misconduct, which may also include sexual assault, sexual harassment and other sexually inappropriate behaviors.

The nature of these acts is inconsistent with the goals and mission of Gettysburg College. All members of the College community are encouraged to report incidents of sexual assault, sexual harassment and other sexually inappropriate conduct. Being charged with violating this policy is serious for both the complainant and the respondent and there may be various legal implications. There are two general options when deciding how to report an incident.

- A. For those students who are prepared to file an official complaint and initiate the College’s investigatory process the incident should be reported to one of the official on- campus resources listed below under “Official On-Campus Resources.” When reporting to an official on-campus resource, students can expect that the College’s investigatory process will be initiated. It may be necessary for the information to be shared on a limited basis with other College officials who are part of the investigatory process, however, all reasonable efforts will be made throughout the investigatory process to keep all information private. Students making an official report are encouraged to also contact Health and Counseling Services
  
- B. For those students who are unsure about their options and would like to explore them confidentially, they should contact Health and Counseling Services. Students may decide to make an official report after meeting with one of the staff members in these areas.

Some forms of sexual misconduct are a crime. In particular, sexual assault is a criminal offense as well as a violation of this policy and both criminal and College charges may arise from an alleged incident. The College’s process is separate and distinct from the criminal process and is only making a determination regarding violation of this policy. Individuals who believe that they’ve been sexually assaulted are urged to contact the Gettysburg Police and to preserve any evidence that may be necessary for proving the crime. The College strongly encourages students to work with the Gettysburg Police, and will work with the local authorities to facilitate a timely investigative process. The College’s adjudication of charges may proceed regardless of the status of the criminal justice process.

### **Support Services**

Students who feel that they are the victim of sexual assault or sexual harassment are encouraged to seek out support. There are both confidential and official resources on campus and in the Gettysburg Community.

#### Confidential on-campus resources

Health Services (717) 337-6970  
Counseling Services (717) 337-6960

#### Official on-campus resources

VP College Life and Dean of Students (717) 337-6921  
Department of Public Safety (717) 337-6911  
Women’s Center (717) 337-6991  
Residence Life Call your RA, RC, CL or Area Coordinator

- Musselman, Paul, Rice, Stine, x6899
- Hanson, Huber, Patrick, Stevens, x6841
- All upperclass and theme houses, x7100

Off campus resources

Gettysburg Hospital	(717) 334-2121
Gettysburg Police	(717) 334-1168
Survivors	(717) 334-9777

2. Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors Statement

Gettysburg College prohibits all sexual misconduct, sexual harassment and sexually inappropriate behavior. This includes, but is not limited to: sexual misconduct, including sexual assault; incapacitated sex and/or sexual contact; sexual harassment; sexual exploitation; coercion for sex and/or sexual contact and retaliation. Each of these prohibited behaviors is defined below. Incidents which a student considers to be a violation of this policy should be reported as outlined in this policy. The College will investigate and adjudicate as outlined in this policy.

3. Policy Definitions

A. Sexual Misconduct

Sexual misconduct, including sexual assault, is defined as deliberate physical contact of a sexual nature without the other person's consent.

Violations of this policy include, but are not limited to:

- 1) Non-consensual sexual contact. Non-consensual sexual contact is any sexual touching, with any object, by a man or a woman upon another person without consent or making any person touch you or them in a sexual manner.
- 2) Non-consensual intercourse. Non-consensual intercourse is any sexual intercourse (anal, oral or vaginal), with any object, by a man or woman upon another person without consent.
- 3) Disrobing or exposure of one's self or another person that occurs in a public area and/or is unwanted by an involved person.

B. Consent

All sexual interaction between two people must be consensual. Effective consent is informed, freely and actively given, using mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent is not effective if it results from the use of physical or perceived physical force, if there is intimidation or coercion, or if the recipient party is incapacitated. Silence or non-communication should never be interpreted as effective consent. The initiator of the sexual activity will be found in violation of the policy if he or she did not receive effective consent.

C. Incapacitated Sex

If one chooses to drink alcohol or use other drugs, one runs the risk of impaired thinking and communication which may result in inappropriate choices about sex. Being under the influence of alcohol or drugs is never an excuse for violation of this policy and one may not use the fact that he/she was under the influence of alcohol or drugs when initiating sexual contact as a defense when being charged by the College.

To have sex with someone who you know to be, or should have known to be incapable of making a rational, reasonable decision due to his or her consumption of substances is a violation of policy. The initiator of sexual contact will be found in violation of this policy if it is determined that he or she knew or should have known that the other person was incapable of making a rational, reasonable decision at the time consent was obtained, or sexual contact was initiated.

Also, if someone is unable to give verbal consent because he or she is sleeping or unconscious at the time of the sexual activity, the initiator of the sexual contact with that person will be found in violation.

- D. Coercion  
Coercion exists when a sexual initiator engages in sexually pressuring and/or oppressive behavior that violates the norms of the community, such that the application of pressure or oppression causes the object of the behavior to engage in unwanted sexual behavior. Coercion may be differentiated from seduction by the repetition of the coercive activity beyond what is reasonable, the degree of pressure applied, environmental factors such as isolation and the initiator's knowledge that the pressure is unwanted.
  - E. Sexual exploitation  
Sexual exploitation occurs when a student takes non-consensual, unjust or abusive sexual advantage of another for his/her own advantage or to benefit others. Examples include, but are not limited to, non-consensual audio or video taping of sexual activity, voyeurism, and prostitution of self or others.
  - F. Sexual harassment and other sexually inappropriate behaviors  
Unwelcome sexual advances or threats, deliberate or careless use of offensive or demeaning terms that have sexual connotations or are gender-based, repeated and unwelcome requests for sexual favors or a romantic relationship, repeated and unwelcome letters, phone calls, or e-mails of a sexual or romantic nature, sexually motivated physical contact, or other verbal, electronic, or physical conduct or communication of a sexual nature.
  - G. Retaliation  
Retaliation or intimidation against anyone involved in the Complaint process or anyone who pursues legal action, including the Complainant, Respondent, or anyone participating in the investigation. Such behavior may also violate the College's Harassment Policy and will be adjudicated.
  - H. Complainant  
The person filing a complaint with the College regarding an incident of an alleged violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors.
  - I. Respondent  
The person who allegedly violated the College's Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors and is responding to the complaint.
  - J. Investigator  
The College administrative official who will be responsible for coordinating any investigations into an alleged violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors. Typically, this will be the Director of Student Rights and Responsibilities. The Investigator will prepare a report for the Adjudicator for the purpose of resolving the complaint.
  - K. Adjudicator  
The College administrative official who will be responsible for disposition and resolution of a Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors complaint. Typically, this will be the Vice President for College Life and Dean of Students.
4. Complaint process for reported violations of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors

Students who would like to report an incident should carefully review the following information on where to report an incident, the investigatory process, the complaint resolution process and the appeals process.

- A. Students should report incidents that they consider violations of this policy to the Vice President for College Life and Vice President for College Life and Dean of Students, Residence Life (including RA,

- RC, CL staff), Public Safety or Student Rights and Responsibilities. The staff and administrators in each of these areas are identified by the College as reporting authorities and will initiate the College's preliminary investigation process into an incident. This will include notification of Public Safety and the Gettysburg Police. The name of the complainant will not be reported to the Gettysburg Police without the permission of the student.
- B. Members of the Health and Counseling Center staff are confidential resources and do not investigate incidents. They do not make identifiable reports of incidents to the Official On-Campus Resources unless the student requests them to do so. Faculty, staff and administrators outside of these two areas are not confidential resources.
  - C. Investigations will be conducted by the Director of Student Rights and Responsibilities or other investigator designated by the Vice President for College Life and Dean of Students. Investigation by the College will begin promptly and will be coordinated with any investigation by the Gettysburg Police. As stated in the introduction, all efforts will be made to keep information private. Participants, including complainants, respondents and advisors, are expected to keep all aspects of the investigation and adjudication confidential.
  - D. Students charged with violating this policy may be subject to an Interim Suspension or other temporary adjustments to living arrangements, class schedule, etc. until the complaint is resolved. These actions are not a presumption of responsibility for violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors. Please see the Interim Suspension policy for more information.
  - E. The investigation will generally include an interview with the complainant, respondent and anyone else deemed by the Director of Student Rights and Responsibilities as having important information related to the incident. The complainant and respondent are permitted to have an advisor present during this interview(s) as well as during any meetings with the Vice President for College Life and Dean of Students during the adjudication of charges. Advisors must be a faculty, administrator, staff or student member of the College community. The role of an Advisor is to support the respondent or witness throughout the process, but the Advisor may not represent the respondent or complainant. The student and Advisor may speak quietly to one another or request a short break in order to speak.
  - F. Adjudication of Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors complaints will be conducted by the Vice President for College Life and Dean of Students or her/his designee. The Director of Student Rights and Responsibilities will prepare a written report of the investigation for the Vice President for College Life and Dean of Students who will then determine if a violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors occurred and, if so, also determine any necessary disciplinary action.
  - G. The Vice President for College Life and Dean of Students will base her/his decision on the information available in the written report, interviews with the complainant, respondent, and witnesses, and any other information that is deemed relevant and pertinent to the case. Additional investigation may be conducted at the discretion of the Vice President for College Life and Dean of Students.
  - H. The Vice President for College Life and Dean of Students will resolve a complaint of a violation of this policy by:
    - 1) Determining that the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors has been violated and assigning appropriate sanctions.
    - 2) Determining that there was not a violation of the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors and dismissing the complaint.
    - 3) Determine that there is insufficient information to find student responsible for violation of the policy. Depending upon the circumstances of the case, students who are found not responsible due to insufficient information may be required to relocate and/or have no contact with the complainant/respondent. Other educational sanctions may also be required.

- I. The respondent will be notified in writing of the decision made by the Vice President for College Life and Dean of Students. Complainants will be notified verbally of the outcome by the Vice President for College Life and Dean of Students.
  - J. A student found responsible for violating this policy may be assigned sanctions that include, but are not limited to, probation, residence reassignment, no-contact, suspension or expulsion.
5. Appeal Process for the Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors
- A. Reasons for appeal  
The respondent or complainant may appeal a decision in a case for the following reasons:
    - 1) To determine whether the sanction (s) imposed were appropriate for the violation of policy for which the student was found responsible for;
    - 2) To determine procedural error or absence of conformity with prescribed procedures during the investigative stage preventing either the complainant and respondent a reasonable opportunity to prepare and present information to the investigator; and
    - 3) To determine new information is discovered which was not available at the time of the investigative process and could have affected the outcome of the case.
  - B. Appellate panel  
Appeals of Policy on Sexual Misconduct, Sexual Harassment and Sexually Inappropriate Behaviors complaint decisions by the Vice President for College Life and Dean of Students will be heard by an appellate panel. The panel will consist of one voting faculty member who will serve as chairperson; one voting administrator; and one voting student. Members of the panel will be appointed for one to two year terms and will be trained on issues related to sexual misconduct policy and process.
  - C. Process
    - 1) A student wishing to appeal should submit their written appeal to the chairperson within 7 days of receipt of the original decision. Appeals are due by 5:00pm on the seventh day following the original decision. Contact information for the chairperson is available in the Vice President for College Life and Dean of Students' office or in the Provost's Office. If the respondent submits an appeal, the complainant will be informed that an appeal has been submitted; if the complainant appeals, the respondent will be informed that an appeal has been submitted.
    - 2) The chairperson will convene the three-person appellate panel, review the relevant materials and vote on whether or not there are grounds for an appeal.
    - 3) The panel will have access to reports, statements by the complainant, respondent, witnesses and any other materials gathered during the investigation.
    - 4) If and only if the panel decides that one of the three grounds for an appeal are met, the panel will vote at a subsequent meeting on whether or not the original findings and/or sanctions should be amended.
    - 5) Prior to the "subsequent meeting" referred to in (d) above, the panel may, in its sole discretion, meet with the complainant, respondent, adjudicator and/or other individuals in order to assist it in determining whether the original findings and/or sanctions should be amended. During any meeting with the complainant, respondent and/or other individuals, the Panel will not revisit the entire matter, but will limit its discussion to the "ground(s) for appeal" previously identified.
    - 6) The decision of the panel is final.

## **BIAS RELATED CONDUCT**

Gettysburg College is committed to sustaining a living and learning community where all members of the community are respected and differences among us are celebrated. Hate and bias-related incidents are inconsistent with the mission, values and goals of Gettysburg College. In addition, they are hurtful to individuals and groups of individuals in our community. In its commitment to providing an environment conducive to learning, Gettysburg College condemns acts of hate and bigotry and will work with members of the community to address any such issues.

Gettysburg College defines “**Bias Related Conduct**” to include hate crimes, harassment and bias incidents. The definitions of each are outlined below, as is a description of the response by Gettysburg College to a report of any Bias Related Conduct. In addition to investigating any such report to determine whether there has been a violation of College policy and working with the police to determine if a crime has occurred, the College will offer appropriate support, outreach and education to any College community member impacted by a hate crime, harassment or a bias incident. This will include, but is certainly not limited to, access to Counseling Services, residential accommodations, and facilitated community discussions when appropriate.

### **What is a hate crime?**

A hate crime\* is any crime of violence, property damage or threat that in whole, or in part, is motivated by the offender’s bias toward the victim’s race, religion, ethnicity, national origin, sexual orientation, gender, gender identity, age, or disability.

Hate crimes are defined at both the federal and state level. Federal hate crimes are investigated by the FBI. For more information on federal hate crimes, please see the FBI’s website. The Commonwealth of Pennsylvania also has hate crime statutes. Hate crimes also violate College policy.

A federal law, the Clery Act, provides that timely notice of certain crimes reported to campus security or local police must be provided to the Campus Community; the College abides by this federal statute and its notice provisions with respect to all covered crimes, including those involving bias related conduct.

### **What is harassment?**

Gettysburg College’s student Harassment Policy:

Gettysburg College is committed to treating all members of the College community in an equitable manner, providing an environment that permits students to attain their educational goals without interference stemming from harassment. Gettysburg College explicitly prohibits any form of illegal discriminatory harassment by any College community member, organization or group.

Harassment includes physical, verbal, graphic, or written conduct (including harassment via e-mail, instant messenger, text messaging or other electronic means), that is sufficiently severe, pervasive, or persistent so as to unreasonably interfere with or limit the ability of an individual to participate in or benefit from the programs, services, activities or privileges provided by the College.

Harassment is discriminatory if the conduct is based on race, religion, ethnicity, national origin, accent, sexual orientation, gender, gender identity, gender expression, age, or disability. It is a violation of the Student Code of Conduct to engage in harassment or to retaliate against anyone bringing a complaint of harassment, formal or informal, anyone involved in the Complaint process, anyone who pursues legal action, or anyone participating in an investigation into allegations of harassment (including witnesses).

Stalking is also a form of harassment and a violation of the harassment policy. Stalking is defined by Gettysburg College as the act of pursuing, following or observing an individual in a persistent fashion

(including but not limited to, cyber-stalking or an stalking via electronic means) that unreasonably interferes with or limits the ability of that individual to participate in or benefit from the programs, services, activities or privileges provided by the College.

Harassment is a violation of College policy and the College will investigate such incidents to determine if someone has violated our policy. Students found responsible are subject to College sanctions. As stated above, harassment has two parts: actions based on actual or perceived race, religion, ethnicity, national origin, sexual orientation, gender, age, or disability AND the actions must substantially interfere with a student's educational or employment opportunities.

### **What is a bias incident?**

For the purposes of this Policy, a bias incident involves behavior (whether physical or verbal) that is motivated by bias based on actual or perceived race, religion, ethnicity, national origin, sexual orientation, gender identity, age, or disability, but that does not rise to the level of a hate crime or a violation of College policy.

It should be noted that while the expression of an idea or point of view may be offensive or inflammatory to some, it is not necessarily a violation of law or College policy. Gettysburg College values and embraces the ideals of freedom of inquiry, freedom of thought, and freedom of expression, all of which must be vitally sustained in a community of scholars. The College recognizes that these freedoms protect controversial ideas, differing views and sometimes even offensive and hurtful words that are not consistent with the College's mission. However, freedom of inquiry, thought, and expression do not protect personal threats or acts of misconduct that violate criminal law or College policy.

As outlined in the beginning of this document, any reports of a bias incident will be investigated. The College will offer appropriate support, outreach and education to any College community member impacted by a hate crime, harassment or a bias incident.

The Gettysburg College Diversity Commission will receive a regular summary of bias incidents occurring on campus from the Vice President for College Life and Dean of Students. In addition, these incidents may be shared with the broader community as appropriate.

### **What will Gettysburg College do when Bias Related Conduct is reported?**

Gettysburg College encourages prompt reporting of any Bias Related Conduct so that it can investigate the alleged facts for possible violation(s) of College policy, including the Student Code of Conduct, and refer complaints to law enforcement authorities in order to determine whether an independent investigation for violation(s) of criminal law is warranted.

Gettysburg College community members reporting Bias Related Conduct can expect the following:

- Meet with a college official promptly
- Treat your concern with respect
- Take every case seriously
- Discuss all of your options
- Gather and preserve evidence and information
- Connect you with a faculty member, administrator or staff member to provide support
- Work with the Gettysburg Police to investigate whether or not a crime has occurred
- Initiate the College's student conduct process if it appears that a policy violation may have occurred

The College's response to Bias Related Conduct (bias incidents, harassment and hate crimes) will be coordinated by the Vice President for College Life and Dean of Students. The Vice President for College Life and Dean of Students may convene a Bias Incident Response Team that will include the following members of the College community:

Vice President for College Life and Dean of Students  
Vice Provost  
Director of Counseling  
Dean of Intercultural Advancement  
Director of Residence Life  
Director of Public Safety

Other members of the community, including students, may be invited as appropriate.

**What should I do if I believe I am the victim of, or a witness to, any Bias Related Conduct?**

Students should immediately report any Bias Related Conduct (bias incidents, harassment or hate crimes) to Public Safety at (717) 337-6911, or the Vice President for College Life and Dean of Students office at (717) 337-6921.

If you become the victim of a Bias Related Conduct (hate crime, harassment, or bias incident) - racial or otherwise - or witness any Bias Related Conduct, please do the following to document the incident the best you can:

- If you see a written slur or discover graffiti, do not erase the words or images. The Department of Public Safety and the Gettysburg Police will need to see it in order to document and photograph.
- If the incident was verbal, be sure to immediately document what was said, where it was said and when it was said.
- Get names and contact information of any witnesses.

**Where can I go to ask questions and seek support?**

Health and Counseling Services	(717) 337-6960
VP for College Life and Dean of Students	(717) 337-6921
Residence Life	(717) 337-6901
Student Rights and Responsibilities	(717) 337-6900
Intercultural Resource Center	(717) 337-6311
Women's Center	(717) 337-6099
Africana Studies Department	(717) 337-6796

**Where can I learn more?**

[www.stophate.org](http://www.stophate.org)  
[www.tolerance.org](http://www.tolerance.org)

\*Definition taken from "Hate Crimes: The Problem and Efforts to Confront It" prepared by the Center for the Prevention of Hate Violence at the University of Southern Maine under contract with Community Research Associates, Inc.

Some material adapted from Lehigh University and the University of Virginia. Adopted by the Student Life Committee on December 5, 2007 for implementation on January 1, 2008.

## **HARASSMENT POLICY**

Gettysburg College is committed to treating all members of the College community in an equitable manner, providing an environment that permits students to attain their educational goals without interference stemming from harassment. Gettysburg College explicitly prohibits any form of illegal discriminatory harassment by any College community member, organization or group.

Harassment includes physical, verbal, graphic, or written conduct (including harassment via e-mail, instant messenger, text messaging or other electronic means), that is sufficiently severe, pervasive, or persistent so as to unreasonably interfere with or limit the ability of an individual to participate in or benefit from the programs, services, activities or privileges provided by the College.

Harassment is discriminatory if the conduct is based on race, religion, ethnicity, national origin, accent, sexual orientation, gender, gender identity, gender expression, age, or disability. It is a violation of the Student Code of Conduct to engage in harassment or to retaliate against anyone bringing a complaint of harassment, formal or informal, anyone involved in the Complaint process, anyone who pursues legal action, or anyone participating in an investigation into allegations of harassment (including witnesses).

Stalking is also a form of harassment and a violation of the harassment policy. Stalking is defined by Gettysburg College as the act of pursuing, following or observing an individual in a persistent fashion (including but not limited to, cyber-stalking or an stalking via electronic means) that unreasonably interferes with or limits the ability of that individual to participate in or benefit from the programs, services, activities or privileges provided by the College.

Harassment is a violation of College policy and the College will investigate such incidents to determine if someone has violated our policy. Students found responsible are subject to College sanctions. As stated above, harassment has two parts: actions based on actual or perceived race, religion, ethnicity, national origin, sexual orientation, gender, age, or disability AND the actions must substantially interfere with a student's educational or employment opportunities.

## **ANTI-HAZING POLICY**

Gettysburg College opposes all forms of hazing. From a legal perspective, hazing is a crime. From an individual student's perspective, hazing damages the self-esteem of the targets of the hazing.

From an organizational perspective, hazing degrades the values of the organization. From a campus community perspective, hazing creates an environment of disrespect that contradicts the values of our community. For all of these reasons, the College takes a strong position against any and all forms of hazing.

*\*\*Please note that the College's anti-hazing policy applies to all student organizations.*

### **Gettysburg College defines Hazing as:**

Any action taken, created, or situated, (on or off campus) to produce mental or physical discomfort, embarrassment, harassment, or ridicule that is directed at new or prospective members of a recognized student organization. An individual, an individual against an organization, or an organization against an individual, may perpetrate such actions. In case of violations, individuals and an organization as a whole may be subject to disciplinary action. Please note that the consent of those hazed will not be accepted as a defense for hazing activities. The severity of the penalty for a hazing offense will be determined in proportion to the hazing activity. In addition to Gettysburg College's Anti-Hazing policy, students must also comply with the Commonwealth of Pennsylvania Anti-Hazing law.

### **The Commonwealth of Pennsylvania defines Hazing as:**

Title 24, P.S. 5352-5253

"Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with or as a condition of continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be 'forced' activity, the willingness of an individual to participate in such activity notwithstanding." Any person who causes or participates in hazing commits a misdemeanor of the third degree."

### **Responsibilities of Individual Students regarding Hazing:**

All individual students have a responsibility to:

- Decline to participate in hazing activities.
- Report hazing activities if they become aware of them.

### **Examples of Hazing:**

Note that this list is not intended to be all-inclusive. Please contact the office of College Life (x6900) for clarification on any action that may be considered hazing.

- Forcing, requiring, or endorsing consumption of alcoholic beverages or any other drug use.
- Any action which would be perceived as inflicting physical abuse/harm to an individual, e.g. throwing things at students, paddling, etc.
- Requiring students to publicly wear apparel which is conspicuous or not normally in good taste.

- Morally degrading or humiliating games or activities such as requiring members to sing in public or act like animals.
- Requiring any personal servitude such as running errands.
- Requiring tattoos or brands.
- Requiring members to shave all or part of their heads.
- Requiring members to participate in “line-ups”.
- Requiring any activities, which involve the deprivation of food, sleep, etc.
- Assigning or endorsing pranks such as borrowing or stealing items, vandalism to property, or harassing other individuals or organizations.
- Conducting activities that do not allow adequate time for study or sleep.
- Requiring calisthenics such as sit-ups, push-ups, running, or any form of physically abusive exercising.
- Verbal harassment, including yelling and screaming.
- Scavenger hunts, treasure hunts, road trips, kidnapping, drop-offs, or any such activities if done in such a way as to violate the College Hazing policy described above.
- Requiring the ingestion of an undesirable, unwanted substance; or excessive amounts of any substance.
- Requiring the carrying of items (e.g. rocks, bricks, etc.)

**Reporting an incident of hazing:**

A hazing incident may be reported to the College Department of Public Safety (x6911) or the Office of College Life (x6900).

**College response to allegations of hazing:**

Any allegations of hazing reported to the College will be investigated. If the investigation yields evidence of hazing, the College will then take appropriate disciplinary action against the individuals and/or organizations deemed responsible for the hazing. The Student Conduct Review Board may hear charges against individuals (see page 24). The investigation and adjudication process for groups is presented on page 30. Please note that the College will also support any victim of hazing if they want to speak to the local police about the possibility of pressing criminal charges.

# SOCIAL EVENT POLICY

## Overview

The Social Event Policy reflects the social climate that the Gettysburg College community strives to establish and maintain regarding campus social life, including the appropriate role of the use of alcoholic beverages by community members. Its success depends upon the cooperative efforts of students, faculty, administration and alumni in both understanding and upholding the spirit of personal responsibility and respect for self and others that is embodied in this Policy. The College's Alcohol Policy Review and Advisory Board (APRAB) must approve any exceptions to this Policy in advance.

## Responsible Decisions Regarding the Use of Alcohol

The College supports the choice not to drink alcohol and actively discourages and sanctions the irresponsible use of alcohol. In compliance with Pennsylvania laws and the Drug Free Schools and Communities Act, the College does not approve of the consumption of alcohol by students (or their guests) who are under the age of 21, on or off the campus. Inappropriate behavior involving the furnishing or consumption of alcoholic beverages will result in appropriate disciplinary proceedings and penalties. The College recognizes and cooperates with law enforcement authorities in their enforcement efforts pertaining to alcohol, and will seek to educate students about laws pertaining to alcohol, as well as about the use and abuse of alcohol.

## Procedures for Hosting Social Events

All students and student organizations have a responsibility to follow the Social Event Policy Procedures outlined below.

1. Definitions. The terms defined in this section are intended to be used in the context of Social Events.
  - A. BYOB events: Guests of legal drinking age may bring alcohol with them to the Social Event with Alcohol.
  - B. Host Provider events: The Host provides the alcohol for those of legal drinking age at the Social Event.
  - C. Host: Any Gettysburg College student, group of students, organizations, or living group that:
    - 1) pays for or provides alcohol; directly or indirectly
    - 2) registers a Social Event in any College space (residence hall, fraternity, indoor or outdoor space)
    - 3) A fraternity is considered a host when renting or providing space to another organization sponsoring an event. Fraternities on probation are ineligible to host events at their house.
    - 4) No fraternity/facility is eligible to host more than one social event with alcohol per day.
  - D. Guest: Any person present at a Social Event, other than a Host or a member of the Host organization.
  - E. Social Event: Defined by the following criteria-
    - 1) Any social event on campus with 30 or more Guests and Hosts combined.
    - 2) Any social event held at a fraternity where more than one guest per resident brother is present.
    - 3) Social events on campus or in a fraternity with less than 30 Guests and Hosts combined may be registered, at the option of the Host. Such registration enables the Host to gain the benefit of the support of the Department of Public Safety, etc. in helping to assure that their event is safe and responsible.
  - F. Social Event with Alcohol: A social event meeting the criteria defined above at which alcohol will be present. Only Social Events registered as a Social Event with Alcohol may have alcohol present.

## 2. Social Event Registration

- A. Social Events must be registered with the College. Other events with less than 30 Guests and Hosts combined may also be registered at the option of the Host. Registration of a Social Event does not constitute College approval of such Social Event.
- B. Events held in residential spaces including residence halls, theme houses and fraternities must be registered with the Office of Greek Organizations in CUB 220 by noon on the Thursday prior to the event.
- C. Events held in non-residential, on-campus locations including the Ballroom, Dining Services, Academic buildings, The Attic, etc., must be registered with the Office of Student Activities two weeks prior to the date of the event.
- D. The person registering a Social Event with Alcohol must be present at the event and must be at least 21.
- E. Social Events with Alcohol may take place only between 5:00 p.m. Friday and 11:00 p.m. Sunday.
- F. All Social Events must conclude by 3:00 a.m.
- G. Social Events with Alcohol must be no more than 4 hours in duration.
- H. Forms must contain all requested information and proper signatures before a Social Event can be approved. Co-sponsored Social Events require a signature from a representative of each sponsoring Host. There is no charge for registering a Social Event with the College.

## 3. Host Training

Student servers at Social Events with Alcohol are required to complete the TIPS training course. At least two TIPS trained servers must be present at all times during the Social Event with Alcohol. Student servers at Social Events with Alcohol must abstain from consuming alcohol. Details on these training courses can be obtained from the Office of Greek Organizations.

## 4. Host Responsibility

### A. Conduct of Guests

Hosts are responsible for the conduct of guests. See the College's Alcohol/Drug Related Emergency Response Policy for more information on assisting students in need of medical attention.

### B. Serving of Alcohol

Only those individuals who show proof of being 21 years of age or older may consume alcoholic beverages at Social Events with Alcohol.

- 1) Hosts of Social Events with Alcohol must issue to Guests who are 21 years of age or older and plan to consume alcoholic beverages a wristband, stamp or other distinctive marking, which must be worn by the individuals at all times during the event.
- 2) The Host must insure that no visibly intoxicated person is served alcohol.
- 3) Each Social Event with Alcohol must have one designated bar area from which all alcohol will be distributed only to those of legal drinking age.
- 4) All alcohol brought to a BYOB Social Event with Alcohol must be delivered immediately by the Guest to the Host and provided to an authorized server.

### C. Responsibility and Accountability of Hosts

- 1) The Host will be held accountable for any violations of College policies or Pennsylvania law that occur at their Social Event. Individual violators will also be held accountable for their actions..
- 2) Hosts are responsible for setting up, cleaning up, and maintaining order at their Social Event and for any damage resulting from the event.

5. Prohibited Activities
  - A. Irresponsible distribution and consumption of alcohol
  - B. Drinking games & tables/equipment for drinking games, funnels, chugging contests, etc.
  - C. Putting pressure on Guests to consume alcohol, or maintaining the expectation that they will or should.
  - D. Serving alcohol to visibly intoxicated individuals
  - E. Serving or possessing ethyl (grain) alcohol.
  - F. Common sources of alcohol are prohibited at social events:
    - 1) Kegs: In residence facilities and fraternities, serving alcohol from kegs or any other alcohol-dispensing device requiring a tap is prohibited. Students under 21 are prohibited from possessing tap systems.
    - 2) Juice, punch or other consumable liquid containing hard alcohol
  - G. Charging for the Sale of Alcohol/Charging Admission to Social Events. No Host, Host organization, or other person may ever charge, sell, or receive any form of consideration from Guests or for their Social Events with Alcohol unless they obtain the appropriate liquor license from the Pennsylvania Liquor Control Board.
6. Quantity of Alcohol
 

A maximum permitted amount of alcohol is that quantity sufficient to serve each person of legal age one drink (12 oz. beer, 5 oz. wine) per hour of the Social Event with Alcohol. The quantity of alcohol permitted at each Social Event with Alcohol will be reviewed during the Social Event with Alcohol registration process.
7. Department of Public Safety
  - A. All Social Events held in non-residential, on-campus locations must have Department of Public Safety Officers present.
  - B. For events held in residential spaces, Department of Public Safety officers will visit each registered Social Event one half hour prior to the scheduled start time to check on compliance with these Procedures. Depending upon the nature, location and number of attendees, events held in residential campus spaces may have to have Security present for the entire event.
  - C. For all Social Events, the Host must designate a minimum of four individuals to maintain order and compliance with this Social Event Policy. These individuals must be members of the hosting organization and must be present and sober for the duration of the event.
  - D. At Social Events with 200 or more guests, Hosts must have a minimum of two security guards present for the entire social event. One additional security guard must be present for each additional 100 participants beyond 200. For any event held in an on-campus space or an on-campus residential space, security personnel must be coordinated through the College's Department of Public Safety.
8. Other important information
  - A. Non-alcoholic beverages and food/snacks must be as easily and readily available.
  - B. Use of College Funds. College funds may be used to purchase alcohol only with the prior approval of APRAB.
  - C. Charging for the Sale of Alcohol/Charging Admission to Social Events. No Host, Host organizations, or other person may ever charge, sell, or receive any form of consideration from Guests or for their Social Events with Alcohol unless they obtain the appropriate liquor license from the Pennsylvania Liquor Control Board.

*Revised by the Student Life Committee, Spring 2005*

### **Guidelines Specific to BYOB Events**

1. Students who are at least 21 years of age may bring to the BYOB event no more than one (1) 12-ounce beer or one (1) wine coolers for each hour of the length of the event. For example, if a BYOB event is registered for a duration of four (4) hours, each student may bring (4) 12-ounce beers or (4) wine coolers to the event.
2. Beer must be presented to a server who will store beverages in a secure place and redistribute alcohol one at a time at the request of the guest. When handing beer to the server at the bar, you will be given a BYOB Punch Card. Each time a student is given a drink, a hole will be punched through one of the squares until they have all been punched through.
3. If students bring alcohol in bottles, the server must pour the drink into a cup before serving.
4. Unused alcohol will be returned to the owner at the end of the event.
5. Unclaimed alcohol will be turned over to College Security for disposal after the event.

### **Alcohol/Drug Related Emergency Response**

In situations where intoxicated students are in need medical assistance, the health of the intoxicated student **MUST** always be the main priority for all members of the College community.

Through its policies and practices, the College encourages all individual students and organizations to take responsibility for the health, welfare and safety of other students who may be suffering from alcohol poisoning or intoxication. Students and organizations taking proactive measures to insure student safety will be supported by the College.

The College is deeply concerned about students who need medical assistance due to extreme intoxication. Because of the serious nature of this issue, the College will provide appropriate support and education for those students who received assistance.

### **Alcohol Policy Review and Advisory Board (APRAB)**

An Alcohol Policy Review and Advisory Board is to be actively involved in reviewing events, evaluating the impact of the Social Event Policy and procedures and assessing its effectiveness. Members of this Board will include staff involved in planning the events including the Vice President for College Life and Dean of Students office, Greek Life, Student Activities, Student Rights and Responsibilities, Public Safety, and two student members appointed by Senate.

This board shall:

1. Coordinate the registration of all on-campus events at which alcohol will be served with the Office of Student Activities and the Office of Greek Organizations.
2. Oversee the review and approval of proposed student social events with alcohol.
3. Determine appropriate settings, locations, and scheduling of events at which alcohol is to be served.
4. Seek community consensus about the effectiveness of the Social Event Policy and Guidelines.
5. Make judgments regarding the effectiveness of the Social Event Policy and Procedures and recommend changes as necessary.

## Alcohol and Drug Information

### Pennsylvania Law/Borough Ordinances

For general information purposes only. Anyone with legal concerns should consult a legal advisor.

- Underage drinking
  - 18 Pa. C.S.A. 6308  
This includes consumption, or transportation of alcoholic beverages. Penalties include fines up to \$300 to \$500, up to 90 days in prison and 90-day to two-year driver's license suspension. Parents will be notified for those under 21.
- Misrepresenting age to obtain alcohol
  - 18 Pa. C.S.A. 6307  
Penalties include fines up to \$300 to \$500, up to one year in prison, and 90-day to two-year driver's license suspension. Parents will be notified for those under 21.
- Carrying a false ID to obtain alcohol
  - 18 Pa. C.S.A. 6310.3  
Penalties include fines up to \$500, up to one year in prison and 90-day to two-year driver's license suspension. Parents will be notified for those under 18.
- Representing a minor to be 21 or older
  - 18 Pa. C.S.A. 6309  
Penalties include fines of \$300 to \$2,500 and or up to one year in prison.
- Requesting or inducing a minor to obtain alcohol
  - 18 Pa. C.S.A. 6310  
Penalties include fines of not less than \$300 up to \$2500 and or up to one year in prison.
- Knowingly making, altering, selling, or attempting to sell a false ID
  - 18 Pa. C.S.A. 6310.2  
Penalties include fines of not less than \$1,000 to \$5,000 and or up to two years in prison.
- Furnishing alcohol to minors (including allowing minors to possess alcohol on premises owned or controlled by person charged)
  - 18 Pa. C.S.A. 6310.1  
Penalties include fines of not less than \$1,000 up to \$2,500 (can be per person served) and or up to one year in prison.
- Restriction on alcoholic beverages
  - 18 Pa. C.S.A. 7513  
It is unlawful for any person who is an operator or an occupant in any motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverage or controlled substance. Penalties include fines up to \$300, up to 90 days in prison.
- Alcoholic Beverages (Open Containers)  
It shall be unlawful, within the Borough of Gettysburg, for any person to drink “liquor” or “malt or brewed beverages” upon any public street, municipal parking lot, private parking lot open for public use or public park, or in any vehicle operated or parked thereon.  
  
It shall be unlawful, within the Borough of Gettysburg, for any person to have in such person's possession or in a vehicle under such a person's control any open container containing “Liquor” or “malt or brewed beverages” upon any public street, municipal parking lot, private parking lot open for public use or public park.
- Noise Violations (Disorderly Conduct)  
It shall be unlawful for any person to make unreasonable noise as to disturb, annoy or inconvenience any other person. Any noise includes but is not limited to noises caused by loud music, loud talking, yelling, and barking

dogs (etc.). The Gettysburg Borough Police Department has the right to issue citations on a single complaint from the public. A warning is not necessary if the Police Officer feels the citation is warranted.

- Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance: Federal Trafficking Penalties can be found at: <http://www.dea.gov/agency/penalties/htm>

### **Alcohol/Drug-Related Support Services**

Gettysburg College's Counseling Services has a staff of four counselors who are available to students for crises, on-going counseling, assessment and referral. One counselor focuses primarily on substance abuse prevention, education, assessment and referral. All services are strictly confidential. For more information or to schedule an appointment, call 337-6960.

All first year students also participate in a mandatory on-line alcohol education course, AlcoholEDU, before arriving and during orientation. The following programs build on this foundation provided at that first orientation session. Students can refer themselves to our program or can be referred by the residence life or judicial systems, a Dean, faculty member, coach, parent, other advisor or friend.

### **CHEERS “Second Look” Program**

Our campus CHEERS peer educators facilitate this 1 ½-hour program. It gives students a chance to examine attitudes, consequences and perceptions and to look at how these influence behavior. Students discuss strategies to reduce risks.

### **BASICS Group\***

Counseling Services offers this as a 1-session educational group followed by an individual meeting with a counselor. This program gives students the opportunity to assess the effects of their drinking, to set goals and to get support for effecting positive change in their lives.

(\*Group adaptation of Brief Alcohol Screening and Intervention for College Students, G. Alan Marlatt et. al., U. of Washington, Guilford Press, 1999)

### **On-campus Assessment/Recommendations**

Students participate in a confidential individual assessment of their alcohol and other drug use by Counseling Services staff. The counselor then shares recommendations with the student. This generally takes three, one-hour sessions.

### **On-campus support and off-campus referral**

Counseling Services staff may assist the student by offering on-campus counseling and/or student support group or by recommending off-campus treatment providers. On-campus support for students returning from off-campus treatment programs is available.

### *Local Providers*

Adams Hanover Counseling Services, 44 S. Franklin St. Gettysburg 334-9111

Cornerstone Counseling, 11 York St. Hanover 632-6555

Wellspan Behavioral Health, 1270 Fairfield Rd., Gettysburg, 337-4283

Pennsylvania Counseling Services, 334 York St., Gettysburg 337-0026

### **Point Reduction:**

We strive to make point reduction activities meaningful for each student. Students wanting point reduction should schedule a Counseling Services appointment to discuss their needs. Students seeking point reduction are strongly

encouraged to schedule this appointment by the mid-term for the current semester. Requests for point reduction after April 1 may not be able to be accommodated.

### **On Campus Support Groups**

Counseling Services offers two on-campus student support groups: Harm Reduction Group for students working to make healthier choices and the Recovery Group for students wanting support for abstinence from alcohol and other drug use.

### **Health Risks**

#### *Alcohol*

Although moderate alcohol use can be a healthy life-style choice for many, alcohol is America's most abused drug. The National Institutes of Health Task Force on College Drinking estimates that each year alcohol is linked to the deaths of about 1,700 US college students. It also contributes to 500,000 student injuries, 600,000 assaults and 70,000 sexual assaults on US campuses yearly. Alcohol abuse is a prominent contributing factor to academic failure.

Alcohol abusers are two to six times as likely as the population at large to die from disease, accident or violence. Alcohol abuse is a major factor in child abuse, domestic violence, sexual assault and other crimes. Use during pregnancy is linked to early fetal death, decreased birth weight, increased infant mortality and Fetal Alcohol Syndrome.

Chronic excessive use causes physical addiction, cirrhosis, heart disease, cancer, gastrointestinal disorders, pancreatitis, respiratory ailments, neurological and nutritional disorders and untimely death.

#### *Nicotine*

Nicotine is contained in tobacco products including dip, nicotine gum and skin patches. Overdose results in dizziness, weakness, nausea, and in rare cases tremors and convulsions. Risk increases when used in combination with other drugs which increase heart rate and blood pressure.

Smoking causes lung cancer, chronic lung disease, heart and vascular system diseases and shortened life span. Smokers often appear to age more rapidly than non-smokers, possibly due to decreased blood supply to the skin.

#### *Marijuana*

Reactions to smoking marijuana depend on its strength, user expectations, mood, setting and other substances unknowingly mixed with the marijuana. While it typically produces a feeling of relaxation and mild euphoria, an anxiety/panic reaction can also occur. Use results in cognitive impairment and perceptual distortions, making it very dangerous to drive or to operate machinery while under its influence.

Smoking marijuana increases heart rate, damages lungs and interferes with sex hormone production. Regular users can develop a psychological and physical dependence on the drug. Heavy use in adolescence can interfere with the development of adequate social and coping skills necessary for dealing with normal frustrations and stresses of life. Frequent users can experience lethargy, loss of interest in work, relationships, exercise and other key life components. Academic performance of students with Attention Deficit Disorder can be particularly adversely affected by marijuana use

#### *Cocaine*

Cocaine is a short-acting, highly addictive, stimulant drug. It induces short-lived euphoria and increased energy and alertness. Use results in increased motor activity, respiratory rate, blood pressure and body temperature. Cocaine use leads to impaired perception, coordination and reaction times. It also can cause mood changes, impulsive behavior, risk-taking, nervousness, and perceived decreased need for food and sleep.

Cocaine depletes the body's energy by using it up faster. Even small doses of relatively pure cocaine can be fatal by causing hypertension, seizures, convulsions, respiratory and cardiac arrest. Nicotine, when used with cocaine, increases risk for sudden death from cardiac arrest.

Long-term effects can include restlessness, extreme mood swings, insomnia, paranoia, malnutrition, dehydration, constipation, rapid tooth decay and difficulty urinating. Male impotence and reduced female sexual response can also occur.

Addiction develops rapidly, especially when smoked in the form of “crack” cocaine. After the initial euphoria wears off, the user begins to feel depressed. The user then uses more cocaine to offset the depression. Soon, frequent users need the drug just to feel normal.

### *Hallucinogens*

The effects of hallucinogens (e.g. LSD, psilocybin mushrooms, and peyote) are often unpredictable, depending on what the drug is “cut” with, the user's personality, mood, expectations and setting. Effects include disturbances in sensory perceptions, dilated pupils, increased heart rate, blood pressure and body temperature, sweating, loss of appetite, insomnia, dry mouth and tremors. Combining PCP-like drugs with alcohol or sedatives can be fatal. Mescaline (peyote) taken with stimulants can also be very dangerous.

Negative psychological reactions (“bad trips”) are unpredictable and not uncommon. They may be mildly anxiety producing or terrifying. Sometimes they can unmask serious underlying psychiatric problems, which may require long-term treatment. Flashbacks, in which a person experiences the drug's effects without taking it again, can occur for months afterwards. Chronic use can result in mental confusion, difficulty with abstract thinking, and impaired memory/attention span/ concentration.

### *Stimulants*

Stimulant drugs include amphetamines (Dexedrine, “uppers”) diet pills, caffeine (found in products such as “No Doze”) and nicotine. Stimulant drugs can be used relatively safely under medical supervision to treat some conditions such as depression

When abused, stimulants are associated with exhaustion, irritability, hypertension, cardiac and circulatory damage, mental fatigue and confusion, psychosis, convulsions, hallucinations, panic, dizziness, social withdrawal depression and increased suicidal risk. Abusers can become profoundly physically dependent.

### *Sedatives*

Sedatives include barbiturates, Rohypnol, Valium, Librium and other benzodiazapams (e.g., Xanax), GHB. Sedatives produce relaxation and at higher doses, lightheadedness, drowsiness, slurred speech and coordination deficits. Driving can be extremely dangerous. Overdoses, using combinations of sedatives or mixing sedatives with alcohol can be fatal. Rohypnol and GHB, the “predatory drugs”, can be added to drinks to facilitate a sexual assault. GHB is easy to manufacture, difficult to detect in a drink and can be fatal. Anyone who feels weak, dizzy, lightheaded or confused after a drink should obtain medical help immediately.

### *Ecstasy (MDMA)*

Although ecstasy users typically seek an increase in pleasurable sensations and emotional closeness with others, use can also result in anxiety, paranoia, and psychotic episodes. It appears that with repeated use, depression and memory loss may be significant and long-term. Research suggests that repeated use or use at high doses may be linked to permanent changes in levels of the neurotransmitter, Serotonin and brain activity. These changes may be more evident in women than men.

Ecstasy use has been associated with a number of deaths, especially in conjunction with intense physical exertion. Overdose is typical of a stimulant overdose (greatly increased body temperature, hypertension and kidney failure). Early signs of overdose are jitteriness and teeth clenching.

### *Opiates*

Opiates are commonly prescribed for effective pain relief. Taken exactly as prescribed, opiates are relatively safe and rarely cause clinical addiction. But, narcotic opiates (Oxycontin, codeine) are dangerous and addictive when taken outside medical supervision. Overdose can depress respiration enough to cause death.

Heroin is processed from morphine, a naturally occurring substance extracted from the Asian poppy plant. Heroin abuse is associated with serious health conditions including physical addiction, fatal overdose, spontaneous abortion, collapsed veins and infectious diseases, including HIV/AIDS and hepatitis.

### *Inhalants*

Inhalants include nitrites, anesthetics (nitrous oxide), solvents, paints sprays and fuels (gasoline, glues). Risks are especially high with anesthetic agents and solvents, which can cause cardiac arrhythmia/arrest and severe, sudden oxygen deprivation. Risks are compounded by the extreme flammability of some of these agents. These agents are also associated with accidents and suicides. A significant percentage of people who die from use are first-time users. Inhalants are particularly dangerous when combined with alcohol, sedatives, and cold medicines.

Long-term use is associated with central nervous system damage, neurological damage and deficits in memory, attention and concentration.

Sources: National Institute on Drug Abuse (NIDA) and C Kuhn, S Swartzwelder, W Wilson, *Buzzed: The Straight Facts About the Most Used and Abused Drugs*, W. W. Norton and Company, 1998. – *A Primer of Drug Action: A Concise, Non-Technical Guide to the Actions, Uses, and Side Effects of Psychoactive Drugs*, Robert Julien, Owl Books, 2001.

### **Drug Policy**

Illegal possession, manufacture, distribution, or use of drugs or narcotics by students constitutes unacceptable conduct and such students are subject to disciplinary measures, including suspension, by the College.

In Pennsylvania if one possesses or distributes a small amount of marijuana (30 grams, approximately one ounce, or less) but does not sell it, one is guilty of a misdemeanor and is subject to a maximum penalty of 30 days in jail or a \$500.00 fine, or both. Selling marijuana and illegally possessing or distributing any other type of drug carries heavier penalties. A complete copy of the law is available for anyone to review in the Office of the Vice President for College Life and Dean of Students and can also be found by visiting <http://www.health.state.pa.us/pdf/ddc/ddcAct.pdf>

It is the policy of Gettysburg College to maintain a drug-free workplace. Illegal possession, use, manufacture, or distribution of drugs or narcotics by employees (while engaged in employment activities or activities related to a federal grant, regardless of the location of these activities) constitutes unacceptable conduct by such employees and makes such employees subject to disciplinary procedures of the College ranging from a reprimand through termination of employment, according to procedures set out in the employee handbooks for staff employees, administrative employees, and faculty.

The purpose of this summary is to provide students and employees of Gettysburg College with general information on applicable laws. Although every effort has been made to provide accurate information at the time of printing, this information can at any time be superseded by changes in the law. Each student and employee has the ultimate responsibility to stay informed concerning changes in the law. Those with specific legal questions are encouraged to seek the services of an attorney.

### **Alcohol and Drug Policies and Related Legal Issues**

The purpose of this summary is to provide students and employees of Gettysburg College with general information on applicable policies and laws. Although every effort has been made to provide accurate information at the time of printing, this information can at any time be superseded by changes in the law. Each student and employee has the ultimate responsibility to stay informed concerning changes in the campus policies and Commonwealth law. Those with specific legal questions are encouraged to seek the services of an attorney.

The College supports the laws of the Commonwealth of Pennsylvania. Student violations of the policies and guidelines pertaining to alcohol and drugs specified in the Gettysburg College Judicial System will result in sanctions appropriate to the degree of the violation. Sanctions will increase in severity for repeated violations. Sanctions will include, but are not limited to, fines, education, referrals for counseling, community service, probations, residence hall separation, or suspension or expulsion from the college.

Commonwealth law states that a person who is under 21 years of age and who attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any alcohol, liquor or malt beverages commits a summary offense. Misrepresentation of age to a licensed dealer or other persons who sell or furnish intoxicating liquors constitutes a third degree misdemeanor. A person also commits a third degree misdemeanor for selling or

providing alcoholic beverages to a known minor. There are also serious legal repercussions for driving under the influence of alcohol. Drivers under the age of 21 with any measurable alcohol will be charged with Driving Under the Influence. Drivers 21 and over the BAC .08+ will be charged with Driving Under the Influence. Locally, there are borough open container and noise ordinances.

Illegal possession, manufacture, distribution, or use of drugs or narcotics by students constitutes unacceptable conduct and such students are subject to disciplinary measures, including suspension, by the College. When students are awarded PELL or other federally funded grants they agree to abide by the conditions of the drug-free workplace certifications. It is their responsibility to inform the Financial Aid Office within five days of any criminal illegal drug statute conviction.

It is the policy of Gettysburg College to maintain a drug-free workplace. Illegal possession, use, manufacture, or distribution of drugs or narcotics by employees (while engaged in employment activities or activities related to a federal grant, regardless of the location of these activities) constitutes unacceptable conduct by such employees and makes such employees subject to disciplinary procedures of the College ranging from a reprimand through termination of employment, according to procedures set out in the employee handbooks for staff employees, administrative employees, and faculty

The complete Commonwealth of Pennsylvania Controlled Substances, Drugs, Devices and Cosmetics Act (Act of 1972, P.L. 233 No 64) can be found at <http://www.health.state.pa.us/pdf/ddc/ddcAct.pdf>

### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**

1. 21 U.S.C. 844(a)
  - 1st conviction - Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both
  - After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
  - After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.
  - Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both if:
    - A. 1st conviction and the amount of crack possessed exceeds 5 grams
    - B. 2nd crack conviction and the amount of crack possessed exceeds 3 grams
    - C. 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram
2. 21 U.S.C. 853(a)(2) and 881(a)(7) Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)
3. 21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.
4. 21 U.S.C. 844a civil fine up to \$10,000 (pending adoption of final regulations)
5. 21 U.S.C. 853a Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.
6. 18 U.S.C. 922(g) Ineligible to receive or purchase a firearm  
Miscellaneous Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

The entire Commonwealth of Pennsylvania Controlled Substances, Drugs, Devices and Cosmetics Act (Act of 1972, P.L. 233 No 64) can be found at <http://www.health.state.pa.us/pdf/ddc/ddcAct.pdf>

## CONSENSUAL SEXUAL OR ROMANTIC RELATIONSHIPS

### **In General**

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions of authority, and parties in such a relationship assume those risks. In the Gettysburg College context, such positions include (but are not limited to) teacher and student, supervisor and employee, senior faculty and junior faculty, advisor and advisee, coach and athlete, and the individuals who supervise the day-to-day student living environment and student residents. Because of the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the teacher-student context. They may, moreover, be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Where such a relationship exists, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she - and this is particularly important for faculty and any other employee serving as a teacher in the classroom - does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor, department chair or dean in writing, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. The chair, dean or supervisor must implement the alternative supervisory or evaluative arrangement. Employees must notify the Human Resources Office in writing when recusal is required.

The responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline.

### **With Students**

At a college, the role of a faculty or staff member is multifaceted, including serving as intellectual guide, teacher, counselor, mentor and advisor; the faculty and staff member's influence and authority extend far beyond the classroom or work place. Consequently, the College believes that a sexual or romantic relationship between a faculty or staff member, and a student, even where consensual and whether or not the student would otherwise be subject to supervision or evaluation by the faculty or staff member, is inconsistent with the proper role of the faculty or staff member, and should be avoided. Gettysburg College therefore very strongly discourages such relationships.

Amorous, dating, or sexual relationships between faculty or staff members and students are impermissible when the faculty or staff member has professional responsibility for the student. Voluntary consent by the student in such a relationship is suspect, given the fundamental nature of the relationship. Moreover, other students may be affected by such behavior, because it places the faculty member or staff member in a situation to favor or advance one student's interest to the potential detriment of others. Therefore, it is a violation of college policy for a faculty or staff member to engage in an amorous, dating, or sexual relationship with a student whom he/she instructs, teaches, evaluates, supervises, or advises, or over whom he/she is in a situation to exercise authority in any way.

**With other employees**

As in the situations referenced above, the College believes that sexual or romantic relationships between faculty and staff members employed within the same department, even where consensual and whether or not the faculty or staff members would otherwise be subject to supervision or evaluation by the faculty or staff member, is inconsistent with the proper role of the faculty or staff member, and should be avoided. Gettysburg College therefore very strongly discourages such relationships.

Amorous, dating, or sexual relationships between faculty and staff members are impermissible when the faculty or staff member has supervisory or evaluative responsibility for the other. Voluntary consent by the faculty or staff member in such a relationship is suspect, given the fundamental nature of employment relationships. Moreover, other faculty and staff members may be affected by such behavior, because it places the faculty member or staff member with the supervisory or evaluative power in a situation to favor or advance one faculty or staff member's interest to the potential detriment of others. Therefore, it is a violation of college policy for a faculty or staff member to engage in an amorous, dating, or sexual relationship with a faculty or staff member, whom he/she instructs, teaches, evaluates, supervises, or advises, or over whom he/she is in a situation to exercise employment authority in any way.

Where such a relationship exists by virtue of marriage or partnership within the same department, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor, department chair or dean in writing, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. The chair, dean or supervisor must implement the alternative supervisory or evaluative arrangement. Employees must notify the Human Resources Office in writing when recusal is required. Faculty members must notify the Provost's Office in writing when recusal is required.

The responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline.

**Responsibility**

The College Life Office will respond to issues arising from this policy involving students. The Provost's Office will respond to issues arising from this policy involving faculty members and administrators within the division of the Provost. The Human Resources Office will respond to issues arising from this policy involving other administrators and staff members.

# COMPUTER NETWORK USE POLICY

**Introduction:** Gettysburg College provides a campus computer network, including access to the Internet, for students, faculty, administrators, staff, alumni, parents, and friends of Gettysburg College in order to further the educational purposes of the College. Use of the Gettysburg College network is governed by this Network Use Policy and is subject to all applicable federal, state, and local laws as well as the rules and regulations of the College.

**College Authority:** By using the Gettysburg College network, users are granting permission for authorized network administrators to monitor and/or intercept electronic communications. Access that is necessary to render services or to protect the property of the provider of the service is allowed under the Electronic Communications Privacy Act of 1986 (ECPA). Further, electronic mail (email) is neither secure nor protected by the laws that apply to the United States Postal Service. Email sent from a machine on the Gettysburg College network is considered College business and is not private property.

## Privileges of Network users

**Privacy:** The College respects the fundamental privacy of electronic communication on the campus network. The College does, however, reserve the right to gain access to otherwise private network correspondence or files maintained on the campus network. Such access would occur in certain specific circumstances in which a possible violation of the Network Use Policy must be investigated in order to protect the integrity and effective functioning of the campus network. System administrators may also require access to otherwise private files maintained on the campus network as part of regular system maintenance. An attempt will be made to notify the user of this access in advance whenever possible and appropriate. Such access is governed by applicable federal, state, and local laws.

**Access:** The primary purpose of the College's network is to support academic endeavors. This priority is followed by the College's business requirements. Beyond these primary functions, all users of the Gettysburg College network will generally be granted equitable access to as many network services as technology and network capacities allow.

**Intellectual Freedom:** Gettysburg College encourages a free and open forum for personal expression. This includes viewpoints that are unorthodox or unpopular. Except for official statements from appropriate College officers, Gettysburg College does not officially endorse any opinions stated on the network.

**Protection from Harassment:** All members of the College community are encouraged to communicate differing perspectives. Community members are also, however, entitled to work and live in an environment free of harassment. Therefore any network activity that violates the College's harassment policy is prohibited. Defamatory remarks and obscenity are also prohibited. The use of overt profanity is strongly discouraged.

## Responsibilities of Network Users

**Account Responsibility:** Access to the network is through individual accounts with password protection. All willful violations of this policy that can be traced to an individual account name will be treated as the sole responsibility of the owner of that account.

**Network Degradation:** The running of programs, services, systems, processes or server by a single user, or group of users, that may substantially degrade network performance or accessibility will not be allowed. Electronic chain letters, mail bombs, and excessive recreational use of the network are prohibited.

**Copyrights:** Network community members must respect all copyrights and always provide proper attributions of authorship. Commercial software licensed to Gettysburg College may be installed only on machines expressly covered by the licenses. Upon request from a network administrator, individuals who have software licensed to them

and installed on a Gettysburg College computer shall produce original disks and/or documentation to verify compliance.

**Printing:** Network users are expected to use network printing in a responsible manner by printing only those materials essential to educational, academic, or College needs and by printing selected text rather than full text when possible.

**Business Transactions/ Personal Use:** The conduct of occasional private business or financial transactions when such uses are clearly incidental or sporadic is permitted.

**Remote Server Services:** Approval from the Vice President of Information Technology and the Dean of the College is required before any member of the Gettysburg College user community may install or use any remote access software or any server software on any computer connected to the Gettysburg College computer network.

**Equipment and Configuration Control:** Without specific authorization, users of Gettysburg College computing or network facilities must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment nor remove or aid in the removal of any Gettysburg College-owned or administered equipment, data, or documents from a Gettysburg College facility. Without specific written authorization from Information Technology, users must not physically or electrically attach any foreign device to Gettysburg College computer or

- network equipment. Exceptions from the above are limited to:
- non networked/non-shared external USB hard drives
- non networked/non shared inkjet printers
- non networked/non shared scanners
- non-networked/non-shared laboratory devices that attach to serial, parallel, firewire or USB ports
- non-networked/non-shared USB thumb drives digital cameras, digitizers, keyboards and pointing devices using only a USB or firewire interface
- LCD/Plasma panels and non-wireless projection devices using only a VGA, DVI or HDMI interface

### **Personally Owned Devices:**

When you attach a personally owned device as permitted above you assume all risk, including but not limited to total loss of your data and personally owned device. Personally attached storage media MAY NOT be backed up on Gettysburg College systems, network or hardware.

No personally owned device as permitted above may cause degradation or impairment to any system, hardware or software which is part of, or used in conjunction with, the Gettysburg College Network. Information Technology is the sole judge of degradation and/or impairment.

Information Technology will not install, uninstall or assist with the configuration of any personally owned device as permitted above.

Information Technology will seek compensation for damages or services caused by, or the result of, any use of a personally owned device as permitted above.

### **Prohibited Activities**

**Spreading Computer Viruses and Worms:** Deliberate attempts to degrade or disrupt the system performance of the Gettysburg College network or any other computer system or network on the Internet by spreading computer viruses, worms, or similar programs is considered criminal activity under state and federal law. As a precondition for network attachment and use, all personal computers must have up-to-date virus protection software installed and operating.

**Impersonation:** Impersonation, anonymity, pseudonyms, spoofing, and other methods of hiding, intended to cloak the true identity of a user in order to mislead or avoid detection, is prohibited.

**Business Transactions:** The use of the College network and/or personal web pages to offer goods or services of a business or commercial nature is not permitted except those consistent with the College's educational or business mission.

**Illegal Activities:** Use of the College network for any activity contrary to local, state, or federal laws is prohibited. Illegal activities include, but are not limited to, tampering with computer hardware or software, unauthorized entry into computer systems or computer data, willful vandalism or destruction of computer data or files, or any attempt to defeat the Gettysburg College computer or network security systems.

## **Violations and Sanctions**

**Reporting Violations:** Users should report any knowledge or evidence of violations of the Network Use Policy to the Vice President of Information Technology or the Dean of the College. Incidents of harassment should also be reported to the College's Director of Employment Equity and Diversity, or one of the College's Sexual Harassment Liaisons.

**Process:** Reported violations will be investigated. If the investigation yields substantial evidence of a violation of the Network Use Policy, the case will be heard through the normal College processes for reviewing a violation of policy. For example, possible violations involving students would be heard through the Student Judicial System; those involving faculty members, through the Office of the Provost; and those involving other members of the College community, through the Department of Human Resources.

**Penalties:** Students who violate the Network Use Policy may be subject to the full range of sanctions as set forth in the Judicial System section of the Student Handbook, including, but not limited to, possible suspension or termination of network privileges. Other users who violate this policy will be subject to sanctions and/or network use limitations as determined by the Provost, Director of Human Resources, or other appropriate College official. Information Technology has the authority to temporarily revoke network access or take other appropriate action in order to maintain network security or health until the Dean of the College (or other designee) reviews an alleged infraction of the Network Use Policy

**Equipment and Configuration Control:** Without specific authorization, users of Gettysburg College computing or network facilities must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment nor remove or aid in the removal of any Gettysburg College-owned or administered equipment, data, or documents from a Gettysburg College facility. Without specific written authorization from Information Technology, users must not physically or electrically attach any foreign device, such as an external disk drive, printer, video system, or backup device, to Gettysburg College computer or network equipment. Authorized College staff may make appropriate changes to any computer connected to the Gettysburg College network consistent with the Network Use Policy, or when necessary for maintenance or repair.

[Revised on 4/11/2008]

## GETTYSBURG COLLEGE OFFICIAL EMAIL ADDRESS POLICY

It is the policy of Gettysburg College that students are assigned an official email address upon initial matriculation to the college and are required to use and review their official email address when communicating with college faculty and administration. The campus e-mail service uses MS Outlook and students can check their GC email accounts on a regular basis both on and off campus at any time.

It is the policy of the College that the faculty and administration will communicate only with the student's **official college email address**. It is the student's responsibility to ensure that their **official emails** are opened and read at all times.

Students may choose to forward their official email to another off-campus email address using the Outlook tool for forwarding emails. If a student does this, a forwarding record will be sent to the campus mail server to automatically forward mail from their official email address to the student's off-campus email address.

College Navigation (CNAV) offers a special feature which permits students to change their Primary Display Email Address in CNAV from the Gettysburg College official email address to another off-campus email address of their choice (e.g. aol.com). Student's off-campus email addresses will appear in CNAV campus directories and groups alias mailings. Students wishing to receive e-mail at an off-campus e-mail address are encouraged to forward their official e-mail to that address using the Outlook tool as described above, rather than changing their Primary Display E-mail Address in CNAV.

In addition, students changing their preferred Primary Display email address in CNAV should be aware that there are other data systems on campus which maintain student official email address and are NOT updated with Primary Display email address changes made in CNAV. The Outlook email tool, which is used by all College faculty and administration and the majority of GC students, contains a list of all campus email addresses and does not reflect an off-campus email address which may have been changed via the CNAV preferred email address. Official college email messages will continue to be sent to a student's official college email address, regardless of any changes that the student may make in CNAV.

Faculty and administration are encouraged to look up a student's official college email address using Microsoft Outlook when that address is not available in CNAV or in printed campus directories because a student has changed his or her CNAV Primary Display Email Address. In addition, faculty and administration should be aware that CNAV tools will generally use a student's CNAV Primary Display Email Address, whether or not that is the student's official college email address.

Gettysburg College will not be held responsible for any missed correspondence that has been sent or forwarded to an address other than the official Gettysburg College email address.

## **ANIMALS ON CAMPUS AND IN BUILDINGS**

With the exception of certified service animals and animals specially approved for the educational purposes of the College, the presence of animals in all college-owned or leased buildings, including residential and non-residential buildings and gated athletic facilities, is prohibited, with the possible exception of College rental housing. For rental properties, this issue will be addressed on a case-by-case basis. Dogs and other animals are permitted on campus roads, walks, and grounds, as they are in the local community, when they are on a leash and controlled by the owner. It is the owner's responsibility to clean up after the animal. All pets must be tagged, registered, and vaccinated in accordance with Pennsylvania State Law.

## **SMOKING POLICY**

There is extensive data within the scientific community that illustrates the harmful effects of secondhand smoke on non-smokers. In fact, the Environmental Protection Agency has classified second-hand smoke as a Class A carcinogen, a classification reserved for the most lethal environmental hazards, such as asbestos, benzene, formaldehyde and radon. Research has linked secondhand smoke to lung cancer, cardiovascular disease, asthma, bronchitis, pneumonia, middle ear infections, and nasal and eye irritation. The use of tobacco products is the leading cause of preventable illness and early death.

In an effort to promote a healthy, comfortable and productive work environment for the employees and students of Gettysburg College, the College has become a smoke-free workplace. Smoking in any form is prohibited inside all college-owned or leased buildings including both residential and non-residential buildings and all recognized student housing including fraternities. In addition, smoking is prohibited in any college-owned or rented vehicles. Individuals who choose to smoke must smoke outside and must stand at least 15 feet away from any campus building. For employees, the enforcement of this policy will rest with the individual supervisor in consultation with the College's Risk Manager. For students, enforcement of this policy will rest with the Office of College Life. Violations of this policy will result in disciplinary action for employees and students.

Information about smoking cessation is available through the Health Services.

## **VENDOR SALES**

No person may sell products of any kind or solicit business on the campus of Gettysburg College without receiving approval of the College Bookstore Director who may issue a permit for such privilege. This includes student organizations utilizing outside vendors for fundraising. The College must give permission for any vendor to set up on College property. Four areas are taken into consideration:

1. Is the vendor legitimate? Will you get the materials you have purchased?
2. Every vendor that comes on campus must have a certificate of liability insurance. This certificate must reflect a minimum of a one-million-dollar policy, and name Gettysburg College as additionally insured on the policy. A copy of this insurance policy must be provided to the person responsible for scheduling vendors prior to the vendor arriving on campus.
3. Each vendor must know that they cannot use the name Gettysburg College or the College Seal on any of the products that they sell and/or produce, due to the fact that the name Gettysburg College and the Gettysburg College Seal are official registered trademarks and no one can reproduce these marks without special permission.
4. The number of vendors on campus at any one time will be limited to two or three.

## **CAMPUS SOLICITATION & SALES POLICY**

### **Campus solicitation and fund-raising**

Campus solicitation and fund-raising may be conducted on the Gettysburg College campus only if prior written permission has been obtained from the Office of Student Activities & First Year Programs.

If approval is granted, solicitation and fund-raising is generally restricted to within the College Union. The Director of Student Activities & First Year Programs must approve exceptions.

The area inside and outside Musselman Stadium is not available.

Guidelines for solicitation and fund-raising by student organizations and departments are as follows:

1. Solicitation and fund-raising must be approved by the Office of Student Activities & First Year Programs.
2. Students and/or outside vendors raising funds for personal gain must first contact the College Bookstore Director to review the program and any pertinent regulations that apply (e.g. trademark stipulations, licensing, type of product(s) being sold, and certificate of insurance). After procuring provisional permission from the College Bookstore Director, the student must submit his/her proposal to the Office of Student Activities & First Year Programs. Only one personal gain vendor is permitted in the College Union per day.
3. No solicitation may be done by making a direct plea to any student, faculty or staff member. No door-to-door solicitation will be allowed on campus property. Any individual who wishes to make a contribution or purchase shall do so directly at the fund-raising site, which is designated by the Office of Student Activities & First Year Programs.
4. Soliciting or selling goods and services in areas of residential buildings not designated for such purposes are not permitted.
5. No funds may be used for the purchase of alcoholic beverages.
6. The sale of products or services, including sales methods, must be consistent with the high standards of the College as an academic and residential community. Each organization is responsible for any fund-raising activity it holds or sponsors and must put its name on all advertising regarding the solicitation or sale.
7. Items should not be purchased for selling purposes, or other commitments made, before permission of the Office of Student Activities & First Year Programs and if necessary the College Bookstore Director is granted.
8. Greek Vendors in Residence Halls: The vendor must contact the College Bookstore Director to review the program and any pertinent regulations that apply (e.g. trademark stipulations, licensing, type of product(s) being sold, and certificate of insurance). The College Bookstore Director will contact the appropriate Area Coordinator of the Residence Hall for final approval.
9. Solicitation on Motor Vehicles: No permission will be given to place advertisements/flyers on vehicles located on college property. Inquiries concerning this policy should be directed to the Department of Public Safety.