

# Life at Kenyon

The **Student Handbook**: Your community guide to rights and responsibilities, 2009-10





# The Student Handbook:

## Your Community Guide to Rights and Responsibilities

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The objectives of Kenyon College include the development of maturity in moral and social behavior as well as the cultivation of intellectual excellence. Social and moral attitudes and behavior have a great influence upon the intellectual quality of the College; most especially, the patterns set by the students as a group create a major portion of the environment within which each as an individual, as well as each member of the faculty and administration, lives and works.

A substantial area of personal freedom for the individual is necessary if a student is to perceive and voluntarily accept the attitudes and conduct of maturity, that is, if one's educational experience is to produce the desired results. Reluctant conformity to external pressures will not serve this end. Imposed conformity is not compatible with the rural and isolated nature of the College, where there are few opportunities outside the College to relieve the pressures of academic life.

The College's concern for the conduct of each student arises initially from its concern for each as an individual, but is reinforced because of the influence each has on fellow students. The patterns of student attitudes and conduct have even more far reaching implications, however, when one remembers that the students determine the character of the entire community. The patterns affect the attractiveness of the College as a place for faculty to live and teach. They influence the willingness of parents to send their sons and daughters here, and the ability of the College to attract financial support from alumni and other sources. Concern for the opinions of faculty, parents, and alumni means that ultimately, students must be guided by the standards of the adult world, at a level somewhere between the average and the ideal.

In this spirit, the restrictions and regulations have been kept at a minimum consistent with the welfare of individuals and of the community. Responsible behavior is set forth as a challenge and as an opportunity. That is, while the College does not force students into conformity, it does not believe that students should be left entirely on their own to set standards of behavior and to develop self-discipline.

At college, a student is in transition from the relative rigidity of home or preparatory school to the independence and responsibility of adulthood. To leave the moral and social standards of college life entirely to the influence of student peer groups is to insure the danger that adult standards will be unrepresented. Too frequently it is immature and antisocial acts that are the most visible to impressionable students seeking models and standards, however atypical such acts may be. Upperclass students and faculty members have a willingness and an obligation to see that correct models and standards are set lest the worst social and moral patterns become impressed upon and stand for all the students of the community.

It is with this latter point in mind that Kenyon affirms basic standards of behavior that cannot be disregarded with impunity. Any behavior which seriously affects the academic performance of the student or of fellow students, which offends the sensibilities of others (whether students, faculty members, or visitors), or which causes damage to the property of the College or of individuals will result in disciplinary action. Kenyon students are required at all times to show due respect and courtesy; and vulgar behavior, obscene language, or disorderly conduct are not tolerated. Acceptance of such a code reflects a mature understanding of social freedom.

Formal responsibility for student discipline is shared by the president (working through the dean of students) and the faculty (working through its representatives on Campus Senate, the Judicial Board, and the Media Hearing Board). One of the advantages of a small liberal-arts college is the fact that students are brought into continuous personal contact with their academic teachers and benefit informally from their wider experience and greater maturity. The effectiveness of this contact will be best revealed when the students realize that to make the system of social freedom at Kenyon operative, there must be an agreement between what they feel to be reasonable conduct and what the College authorities enforce as standards. It is in this sense that responsible behavior is both an opportunity and a challenge.

*Statement adopted by Campus Senate on May 13, 1964; revised June 1972*

## THE GOOD SAMARITAN POLICY

In order to ensure that students receive prompt and appropriate attention for alcohol intoxication and that there are no impediments to seeking such assistance, the College hereby institutes a Good Samaritan policy. In those instances in which a student calls the Office of Campus Safety or another College office for assistance with an intoxicated or impaired student, neither the individual calling nor the student in need of assistance will be charged with violations of the College's policies on alcohol and other drugs.

If the intoxicated/impaired student demonstrates a reckless or habitual lack of care concerning their well-being and the well-being of the campus community, he or she can be required to meet with a member of the student affairs staff who will determine the actions necessary to protect the welfare of the student and the campus community.

This policy is designed to save lives. The spirit of the Good Samaritan is that we all have an ethical responsibility to help people in need. There is an expectation that students will take active steps to protect the safety and well-being of our community.

*Approved by Campus Senate November 2006*

Kenyon College resolves to provide students with the most up-to-date information that governs student life; however, policies typically do not change mid-year. If changes are made via amendment by Campus Senate, those changes will be reflected on the College Web site. Excepting those amendments, a fixed

version (i.e., hard copy) of all College Policies, Rules, and Regulations (described herein), plus the following three documents: Campus Government Constitution, Campus Government Constitution: Senate Statutes, and Student Council By-Laws is provided to each Campus Senator, Student Council member, and Community Advisor by the end of the first week of each school year. A copy of all documents is also on reserve at the library.

## A. ALCOHOLIC BEVERAGES

Kenyon College's alcohol policy reflects its intention to adhere to the state and local laws governing the use, distribution, and consumption of alcoholic beverages. Kenyon is subject to these laws and administers all policies in accordance with their current interpretation. Thus, Kenyon's specific alcoholic-beverage regulations are designed to encourage responsible drinking and behavior by clearly stating what is expected of those who choose to consume or serve alcohol. If alcohol is found in a shared living space where all residents are under the legal drinking age (21), all residents will be held accountable for this policy violation. Violations of these regulations will result in disciplinary action.

**1. Ohio State Law.** Students are expected to know and comply with state and local laws regarding the sale, possession, and consumption of alcohol.

a. The state statutes prohibit persons under the legal drinking age (21) from buying, possessing, being furnished with, and/or consum-

ing alcoholic beverages.

b. The law provides fines for convicted violators (both minors and those who furnish alcohol to minors), or imprisonment, or both. Recently enacted statutes also impose penalties on persons with knowledge of persons violating the statutes cited above.

c. State law prohibits misrepresentation of age or falsification of ID cards or the use of another person's identification for the purpose of obtaining alcoholic beverages.

d. State law also prohibits anyone, regardless of age, from opening or drinking from a container of beer or intoxicating liquor in a moving vehicle, and anyone under legal age from having alcoholic beverages in a motor vehicle.

## 2. Restraints Governing Use of Alcohol.

Because the consumption of alcohol in a campus setting raises many complex issues, including behavioral, safety, and legal problems, it is necessary for the College to define certain limitations on and restrictions regarding the possession, consumption, and purchase of alcoholic beverages. Students found responsible for violating this policy will be held accountable, and they may also be required to participate in counseling, assessment, and/or treatment; this may need to take place off-campus at the expense of the student.

a. Kenyon expects that individuals will respect responsible standards regarding the use of alcoholic beverages for both themselves and others. Being severely intoxicated (regardless of age) is in violation of College policy. This may include but is not limited to being incapable of looking after oneself; endangering the welfare of oneself and/or others; and/or behaving in offensive or disorderly ways.

b. Because it can reasonably be assumed that first-year students are under the legal drinking age, NO alcoholic beverages will be permitted in first-year residences (Gund, Lewis, Mather, McBride and Norton) at any time by any person regardless of age during the period of early arrivals through the closing of the College for underclassmen.

c. Drinking of alcoholic beverages shall be confined to the immediate vicinity of residences, fraternity lodges or in Philander's Pub

or at specifically scheduled events in adherence to these policies. Drinking of alcoholic beverages elsewhere, on campus or in the village, including other College buildings, is considered public drinking and is unacceptable. No open container, carrier, or cup is permitted beyond the immediate vicinity of a residential area. Farr Hall, as a mixed-use facility, is subject to special rules. Drinking of alcoholic beverages may take place in the second-floor residential area only. Drinking of alcoholic beverages is prohibited elsewhere in the building, including the first floor, front patio, and the vicinity of the building.

d. Possession or consumption of alcoholic beverages is prohibited at intercollegiate, club, and intramural athletic events and at any of the athletic fields.

e. No alcohol may be sold by students at any events that take place on College property.

f. Alcoholic beverages are prohibited at membership-recruitment functions of any College recognized organization (e.g., fraternities, sororities, clubs, teams) or at events where potential members are invited or required to attend (e.g., pledging or work-week activities).

g. Funds administered through Student Council may not be used for the purchase of alcoholic beverages except where permitted in the Student Council Constitution.

h. Social events (especially those that include alcoholic beverages) located in a College space must be registered at the Student Activities Office through a properly completed *Party Registration Form* in accordance with the College's regulations governing social events. Students who sign and/or submit a *Party Registration Form* will be held responsible for violations of College regulations that result from the event.

i. At a registered party, unregulated dispensing of alcoholic beverages is prohibited. Alcoholic beverages, only beer and/or wine, must be served by trained, sober bartenders who are of legal drinking age. The bartenders and alcoholic beverages must be separated from the guests by a bar or other substantial physical barrier. Persons whose demeanor indicates that they are or could be intoxicated may not serve or be served alcoholic beverages.

j. Common sources of alcohol, including kegs or party balls, tapped or untapped, must be registered by use of a *Party Registration Form*. Common sources of alcohol are not permitted in College residences except the lounges of Old Kenyon during a registered campus party. Kegs not returned by 12:00 noon the Monday immediately following the registered gathering will be confiscated at the expense of the student(s), deposits will be forfeited, and future party privileges may be jeopardized. Kegs will not be permitted for any event not registered with the College. For a complete explanation regarding registered social events, see the Social Events and Parties policy under section W.

k. To allow and encourage the informal gathering of students, College officials including Campus Safety officers and student staff members will typically not become involved with a gathering in a student's room, suite, apartment, or College house, unless there is clear evidence (or a reasonable suspicion) that irresponsible destructive, dangerous, and/or illegal activity is taking place, and/or a complaint is received.

## **B. UNWANTED PHYSICAL CONTACT (NON-SEXUAL)**

### **1. ASSAULT**

Kenyon College considers assault a serious offense. Assault generally refers to any willful attempt or threat to inflict injury or other physical contact upon another person or the actual unwanted physical contact with another person, all without the consent of the alleged victim. Examples of assault include, but are not limited to, punching; beating; kicking; spitting; hitting (open- or closed-handed); and any other unwanted physical contact. When a student is found responsible for this policy the recommended sanction is a minimum of one semester suspension from the College. When a student is found responsible for assault on a staff or faculty member (including student staff members), the recommended sanction is a minimum one-year suspension.

### **2. COERCION/FORCE**

The use of force or coercion is considered a form of assault/unwanted physical contact. Force may involve the use or display of a weapon or other threatening behavior which causes immediate fear of bodily harm, or involves the physical battering or immobilization of the alleged victim. This may include an attack on someone who is physically helpless (e.g., asleep, unconscious, or otherwise incapable of giving consent). Coercion involves psychological pressuring or threats that are generally other than physical, including, but not limited to, the abuse of a power relationship (e.g., campus leader to student member of group) and the use of alcohol or other drugs intended to hinder resistance.

### **3. UNWANTED CONTACT**

Unwanted contact includes, but is not limited to, shoving, pushing, tripping, etc. A minimum sanction of Restrictive Disciplinary Probation is recommended for first-time violators. Subsequent violations could include suspension or dismissal from the College. In cases of unwanted contact, all parties may be charged and a thorough investigation will be made. The adjudicating body will determine responsibility in the case.

## **C. BICYCLE REGISTRATION AND REGULATIONS**

Bicycles must be registered when brought to campus. When registration is completed at the Office of Campus Safety, a dated decal will be issued which must be affixed to the frame. Students are encouraged to bring locks for their bikes and to have bikes insured in case of damage, loss, or theft. Copies of the College's bicycle regulations may be obtained at the Office of Campus Safety.

Bicycles must be stored in the shelters provided or in students' rooms. Bikes are not allowed in hallways, stairwells, residence-hall storage areas or summer storage. Bicycles found in violation of regulations will be impounded by Campus Safety. During the summer vacation, registered bikes may be stored in the Student Affairs Center basement at no charge on a space-available basis. The College

takes no responsibility for bikes stored. Bicycles left out on campus, in impound, or in student storage after Commencement will be donated.

#### **D. BROWN FAMILY ENVIRONMENTAL CENTER**

The BFEC requires everyone to be aware that in order to protect the wildlife and plantings on the property, as well as the center's many friends and visitors, the following are expressly prohibited unless permission is explicitly granted by the director of the BFEC.

1. Any open fire regardless of location. If permission is granted, all fires must be in designated campfire areas.
  2. Alcoholic beverages.
  3. Camping.
  4. Use or possession of firearms or fireworks.
  5. Hunting.
  6. Littering.
  7. Picking or harvesting plants and specimens.
  8. Tampering with scientific equipment.
  9. Use of motorized or propelled vehicles.
- Please note that any student participating in any of these activities is subject to College discipline, plus a minimum fine of \$200 and forty (40) hours of community service.

#### **E. COMPUTERS AND E-MAIL**

Academic computing at Kenyon is a vital tool in the educational experience. Computer access is a privilege extended to all students and members of the administration, faculty, and staff at the College. Members of the Kenyon community are responsible for knowing the College policies on computer use. All students are given computing accounts, including Internet access, which may be used at any time without charge. The following policies are in place to maintain control and availability to the community at large.

1. Users of Kenyon computing systems are not charged for their use of the systems. Charges may be levied for consumption of certain supplies, such as paper, or for access to commercial services over the network. Students are provided with a limited amount of data storage on the campus network, intended

for their academic work.

2. To ensure access to academic resources on the Internet, Kenyon limits the bandwidth for certain types of non-academic Internet use, such as Internet games and some file sharing technologies.

3. Never use any College computer account other than your own. Never lend your account to someone else. You are fully responsible for anything which happens through access to your account. If you believe someone else has access to your account, contact the Helpline immediately.

4. Do not access files other than your own, unless you have specific permission to do so. This includes any effort to obtain unauthorized control over campus computers.

5. Do not use computing resources for any activity which may intimidate, harass or threaten others. The College's policies on harassment apply to electronic communication, too!

6. Do not use College-provided computing resources or facilities for profit-making purposes.

7. Do not use College-provided computing resources to invade or alter private records, data, or communication belonging to individuals, to the College, or to others.

8. Do not waste computing resources, either tangible such as printer paper, or "soft" resources such as Internet bandwidth or access to computers.

9. Unauthorized copying of software is illegal. You may not use or store pirated software on any College computing system. Library and Information Services (LBIS) staff members will not help you solve problems with unlicensed software.

10. Unauthorized copying of music and video files is illegal. You may not use or store pirated music or video files on any College computing system.

11. If you violate computer and network use policies, LBIS may temporarily or permanently suspend your use of College computing facilities, accounts, and/or resources. Repetitive or particularly egregious violations will be referred to the dean of students or divisional head for disciplinary action.

12. Although the College does not search student pages on Web sites such as Facebook and My Space, if material which allegedly violates College policy is brought to the attention of the College, an investigation into the material will be conducted, and if appropriate, charges will be issued to the student or students responsible for posting the material.

## F. CONDUCT

The College requires behavior on and off campus, in both academic and co-curricular settings, consistent with the principles outlined in the introduction to this section.

## G. DAMAGE

Negligent or intentional damage to personal or College property (e.g., kicking or shaking pole lights, damaging ceiling tiles and furniture) is prohibited, and it will subject an individual or organization to disciplinary action and repair or replacement costs. Acts of intentional damage will result in an additional \$100 fine.

## H. DEMONSTRATIONS/PROTESTS

Kenyon welcomes and encourages serious discussion on any issue from all points of view, but the College cannot condone behavior intended to prevent, obstruct, or interfere with any of its activities and programs.

## I. DRUGS: ILLEGAL DRUGS

The following laws govern distribution, possession, and use of drugs and drug paraphernalia:

**United States:** The Harrison Act of 1914 as amended, the Marijuana Tax Act of 1937, and the Drug Abuse Control Amendments of 1965.

**Ohio:** Chapters 2925 and 3719 of the Ohio Revised Code, appropriate sections. The sale or possession of drugs can result in substantial fines or prison terms under Ohio law. Section 2925.14 prohibits the use, possession, sale, manufacture, or advertisement of drug paraphernalia and requires its seizure.

Kenyon will not tolerate student involvement with illegal drugs or possession of drug paraphernalia (e.g., bongs, water pipes, roach clips, hookahs, scales). This includes the illegal

possession, use, abuse, or distribution of prescription or non-prescription medications. Violations of the law will result in disciplinary action; penalties may include suspension or dismissal, depending on the seriousness and extent of the offense. The College will also take disciplinary action against any student who endangers his or her own or another student's health or academic performance through drug abuse or distribution. Students found guilty of violating this policy may also be required to participate in counseling, assessment, and/or treatment; this may need to take place off campus at the expense of the student.

When drugs or drug paraphernalia are found, Campus Safety may be notified and the Knox County Sheriff's Office may be contacted.

If drugs or drug paraphernalia are found in a shared living space, all residents will be held accountable.

Students found responsible for manufacture and/or distribution of drugs will be dismissed and referred to appropriate legal authorities.

## J. ENDANGERING BEHAVIOR

Any action that may lead to loss of life or serious physical harm to oneself or others is considered endangering behavior and is subject to fines, disciplinary action, and/or criminal charges. Such acts include, but are not limited to, driving under the influence of alcohol or other drugs; tampering with fire equipment; blocking a fire escape; failing to evacuate a building during a fire alarm; defacing or tampering with safety equipment; throwing objects out of windows; careless use of any other material that may result in danger to oneself or others; and any other harmful or endangering act not specifically stated above.

## K. FAILURE TO COMPLY

Each student is expected to identify himself or herself to an official of the College, including student staff members, or law enforcement, upon request. This may include producing official College or state-issued identification card. Likewise, each student is expected to comply with the reasonable requests of such

officials when acting in accordance with their responsibilities.

Students who are subject to the College disciplinary system are expected to comply with reasonable requests to appear before a hearing officer, and when appropriate, must complete disciplinary sanctions in a timely manner.

## L. FIRE SAFETY

Fire is a serious and constant threat to persons and property. Over its history, Kenyon has suffered great loss due to fire, including the loss of human life. As a result, the College takes very seriously issues related to fire safety. Kenyon is served by the College Township Fire Department.

Each student residence will be organized for fire protection, and periodic fire drills will be held throughout the academic year. **Residences are to be evacuated immediately whenever a fire alarm sounds, day or night. In addition, all living space is inspected by College personnel for issues of maintenance, health, and fire safety throughout the year. Students are expected to cooperate fully in these matters and to be conscious of fire-safety precautions.**

The following are important College standards and regulations concerning fire safety:

1. The setting of a fire in a College building, whether deliberately or accidentally, will result in dismissal from the College and a minimum fine of \$200. This includes, but is not limited to, setting fire to papers in a student residence, and improperly extinguishing materials such that a fire results.
2. Setting off a false alarm will result in suspension and/or dismissal from the College and a minimum fine of \$200.
3. Improper use, vandalism, or destruction of fire-safety equipment (e.g., fire extinguishers, fire hoses, exit signs, emergency lights) will be grounds for suspension or dismissal from the College, as well as a minimum fine of \$200.
4. Any student and/or student group found participating in any of the following will be subject to College discipline, plus a minimum fine of \$200 and a minimum of forty (40) hours of community service:

- a. Any open flame, burning candle, incense, or other incendiary device in a living unit.

*Note: Candles are not permitted for religious purposes or observances.*

- b. Failure to evacuate a building during a fire alarm.
- c. Tampering with wiring, including electrical or cable television wiring.
- d. Possessing or discharging fireworks.
- e. Causing or contributing to a fire-safety hazard. This includes, but is not limited to, obstructing exits, stairwells, hallways; and using non-College-issue waste containers.
- f. Using live trees or other greenery as holiday decorations in student rooms, suites, apartments, or living areas. All decorations must be fireproof. Decorative holiday lights must be of "mini-light" specifications. Decorations or lights may not be placed on the exterior of buildings or windows, and they may not block entrances, exits, hallways, room doors, or stairwells.

Where required by Ohio law, Kenyon College will report fire-safety violations to law enforcement authorities for investigation and possible criminal charges.

## M. HAZING

The College will not tolerate hazing on the part of any individual, organization, group, or team. Hazing is defined as any action or situation, regardless of intention, whether on or off Kenyon premises, that results in or has the potential of resulting in physical, mental, or emotional harm, discomfort, or distress to a group's members or prospective members. Furthermore, being a member or prospective member of any student organization, group, sports team, or activity does not provide for, allow, or tolerate any of the following: personal servitude; tests of physical endurance; kidnapping, transporting, or stranding anyone; private or public humiliation; loss of personal dignity or self-worth; lowering of one's personal standards; alcohol abuse; academic dishonesty; violations of federal, state, or local laws. The College will treat the hazing action of even one member of a group as constituting hazing by the group.

Individuals or groups believed to be in vio-

lation of this policy will be subject to Kenyon disciplinary action. Individuals who are found to be responsible for hazing face sanctions up to and including suspension or dismissal from the College. Groups or organizations found to be responsible for violations of this policy face sanctions up to and including suspension, dismissal, or removal of their recognition by Kenyon. Individual officers of a group are subject to sanctions up to and including suspension or dismissal from the College for allowing such violations to occur.

#### **Applicable state law.**

1. Section 2903.31(A). As used in this section “hazing” means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

2. Section 2307.44. Any person who is subjected to hazing, as defined in division (A) of section 2093.31 of the Revised Code, may commence a civil action for injury or damages, including mental and physical pain and suffering, that result from hazing. The action may be brought against any participants in the hazing, any organization whose local or national director, trustee, or officer authorized, requested, commanded or tolerated the hazing, and any local or national director, trustee, or officer of the organization who authorized, requested, commanded, or tolerated the hazing. If the hazing involves students in a primary, secondary, or post-secondary school, university or college, or other educational institution, an action may also be brought against any administrator, employee, or faculty member of the school, university, college, or other educational institution who knew or reasonably should have known of the hazing and who did not make reasonable attempts to prevent it and against the school, university, college, or other educational institution. The negligence or consent of the plaintiff or any assumption of the risk by the plaintiff is not a defense to an action brought pursuant to this section.

## **N. HONESTY**

The quality of College life depends largely upon the personal integrity of students. Dishonesty in any form is an extremely serious offense, which may result in suspension or dismissal from the College. Instances of dishonesty include, but are not limited to, presenting/using another’s ID as your own, misrepresentation, furnishing false information, plagiarism, and falsification or forgery of documents. Questions of academic honesty are addressed by procedures established by the faculty (refer to the *Course of Study*).

## **O. HOUSING AND RESIDENTIAL LIFE**

Housing matters at Kenyon College are handled by the Office of Housing and Residential Life. Areas of responsibility include: housing contracts, the housing lottery process, room changes, roommate concerns, facility issues and residential safety policies. For more information, please contact the Office of Housing and Residential Life at x5142 or e-mail [reslife@kenyon.edu](mailto:reslife@kenyon.edu).

### **1. RESIDENTIAL REQUIREMENT**

All students enrolled at Kenyon are required to live in College housing and enroll in the College dining plan. The only exceptions are for married students and those over the age of thirty. At the beginning of spring semester the Office of Housing and Residential Life will indicate whether students enrolled at the College will be granted permission to live off campus for the next academic year. In the event that some students will be permitted to live off campus, the Office of Housing and Residential Life will make available an application for students to complete to be considered for such approval. The assistant dean of students for housing and residential life will determine who will be permitted to live off campus. Students living off campus are still required to have a meal plan. Students found living off campus without permission from the assistant dean will be subject to disciplinary action.

### **2. RESIDENCE AGREEMENT**

All students living in College housing are required to sign a Residence Agreement/Hous-

ing Contract prior to moving into College residences in their first semester at Kenyon. This is a binding agreement stating that students will read and comply with all rules, regulations, and policies related to housing and residential life while an undergraduate at Kenyon. These include, but are not limited to, rules set forth in the current Kenyon College *Student Handbook* and all other documentation provided by the Office of Housing and Residential Life. This is a binding agreement that extends through graduation (or as long as students remain in College housing).

### 3. ASSIGNMENT INFORMATION

**a. General.** The College believes that an important part of the residential learning experience is getting to know and interact with new friends in a new environment. Kenyon has tried a variety of methods of selecting roommates, and while no method has emerged as perfect, we have settled on the one that works best for our students. When making room assignments, we try to take into consideration the preferences you indicate on your “Roommate Preference Form” and other related materials. Due to high demand for certain spaces, however, we may be able to honor only your second or third building-type (not specific building) preference.

Students are provided space within the residence-hall system while they are undergraduates at Kenyon; they are not guaranteed a specific room. Assignments will be made according to procedures and space available as established by the Office of Housing and Residential Life. Rooms are restricted on the basis of gender only. Roommates in the residence halls are assigned without regard to race, creed, sexual orientation, or national origin. Any actions that jeopardize the rights of a roommate or other students in the residential community to normal use of the assigned residence are unacceptable, and the student responsible is subject to disciplinary action. Students with medical concerns that require special housing consideration should contact the Office of Housing and Residential Life for a “Housing Accommodation Application Form.”

Returning and upperclass students choose

housing for the next academic year by participating in the spring housing lottery. The lottery is based on a seniority point system linked to class year.

All students, including those in division housing, requesting a room change may do so after October 1 by contacting the Office of Housing and Residential Life. There will be a penalty of one (1) point as well as judicial action for students who are found not to be living where indicated on the final roster due by the end of the second week of class for each semester.

**b. Assignment Information within Division Housing.** Information regarding division housing and the lottery process can be found on the Housing and Residential Life Web site or can be located on the lottery document created each year.

**c. Themed Housing.** Students who are involved in special-interest groups may request themed housing as a group. This process takes place prior to the all-campus lottery. Students who select housing through this process are not eligible to participate in the all-campus housing lottery. More information on this process, the purpose of theme housing and eligibility can be found on the Housing and Residential Life Web site.

### 4. REASSIGNMENTS, RELOCATION, REQUIREMENT TO VACATE

**a. Residential Life Reassignments and Removal from Housing.** The Office of Housing and Residential Life reserves the right to reassign, remove, or suspend (pending review) from campus housing any student at any time. Reassignment or removal may result if a student exhibits disregard for the residential community, violates the terms and conditions of the Residence Agreement, or violates other College rules and regulations. In the event of an unresolved conflict involving students sharing a room, apartment, or suite, the assistant dean of students for housing and residential life or her designee may dissolve the entire living arrangement and require all of the residents to relocate.

**b. College Disciplinary or Administrative**

**Removal.** The College may terminate a student's housing and take possession of the room/space at any time (1) upon violation of the Residence Agreement; or (2) at the direction of a duly authorized judicial body, dean, or other officer of the College; or (3) following a student's suspension or dismissal from the College.

**c. Division and Themed Housing**

**Reassignment.** The College reserves the right to reassign residents of division or themed programs when the group loses recognition. It further reserves the right to reassign individuals who have not met the agreed-upon conditions for division or themed programs.

**d. Administrative Reassignment.** The Office of Housing and Residential Life reserves the right to reassign students to address administrative issues such as gender space balances, renovations, maintenance conditions, consolidations of spaces, and medical or disabled-student needs.

**e. Period to Relocate or Vacate Housing.**

Any student who is notified that he or she is reassigned or removed from a campus housing space or from the College, or who is withdrawing from the College, must vacate within forty-eight hours of receipt of such notice, unless instructed otherwise by the Office of Housing and Residential Life or its designee. Any of the student's possessions remaining on the premises after that time will be deemed abandoned, the student will be assessed a late-vacate fee, and any cost incurred in removing the possessions will be charged to the student.

**5. ACCOUNTABILITY**

Each campus housing space is to be used only as the personal living quarters of the assigned individuals and in accordance with the rules and regulations of the College. All assigned residents of single or shared living spaces are responsible for all activities taking place in the room/suite/apartment, whether the assigned resident(s) is (are) present or not. The assigned residents are also held responsible for any prohibited items found in the space.

**6. OCCUPANCY PERIOD**

Students may occupy their assigned spaces in campus housing while academic terms are in session, starting with the fall-term move-in dates published by the Office of Housing and Residential Life for either upperclass students or first-year students, as appropriate. All students except seniors and those authorized to stay for Senior Week and Commencement must vacate their rooms twenty-four hours after their last exam or by the closing date and time, whichever date is first. Extensions, if given, must be approved by the assistant dean of students for housing and residential life, and may be subject to a daily fee. Graduating seniors may remain until 7:00 p.m. the evening of graduation. Student residences are closed during Thanksgiving break, winter break, and spring break. Students must vacate their rooms by the closing hours posted.

During winter break, students must leave their rooms within twenty-four hours of their last examination or by the closing date and time, whichever is first. Students are not permitted to return to campus housing prior to the posted opening time for each semester.

**7. VACATION HOUSING**

If students are affiliated with an approved group, organization, or department related to the opening or closing of the College, or have another approved commitment during a break, they may be allowed to return early, stay past the closing date, or stay during a break, provided permission is granted in writing in advance by the Office of Housing and Residential Life. During vacation periods, all rules and regulations of the College as detailed in the *Student Handbook* are in effect. Remaining in or returning to College housing when the College is not in session, without permission from the Office of Housing and Residential Life, is a violation of College policy; violators are subject to disciplinary action and fees. A daily fee for vacation housing will be assessed for each student permitted to stay in College housing during any time of a break period.

**8. ROOM CONDITION AND CONTENTS**

It is expected that student quarters, including

public areas, will be kept in good condition and used in a careful, safe, and proper manner, and that students will abide by the College's policies. The condition of student rooms is assessed prior to the beginning of the fall semester and during the week that immediately follows the close of each academic year. Students will be responsible for reviewing the condition of their living spaces on the "Room Condition Report" at move-in and check-out. All rooms and common areas in residential areas must be returned to the same condition in which they were found at check-in.

Particular attention is given to cleanliness and to whether damage, beyond normal wear, has occurred. Room residents are responsible for the condition of their room/apartment/suite and for the payment of costs that may result from damage or conditions that require cleaning and/or repair.

Charges will be assessed for repainting; refinishing; fabric replacement for furniture; carpet replacement; repair or replacement of damaged or missing furnishings and equipment; unassembled beds; reinstallation of closet doors; cleaning; removal of extra furniture, cinder blocks, abandoned property, or large quantities of trash; or other unusual conditions requiring correction. For a complete list of charges, please visit the Office of Housing and Residential Life. Students are responsible for notifying the Office of Housing and Residential Life immediately upon discovering any deterioration or altered room condition.

**a. Cleanliness.** Students are responsible for the cleanliness of their living spaces. If an individual living space must be cleaned for health and safety reasons by the College, the assigned resident(s) will be charged. Students residing in apartment areas are responsible for the cleanliness of the areas outside their respective apartments. Excessive items left on a room's floor may contribute to a fire safety hazard because a clear pathway to the door must be present in the event there is an emergency.

**b. Room/Common Area Damages.** Any damages in a student's room, or a common area of

an apartment or residence hall, will result in charges allocated to the individual(s) responsible. If the individual(s) responsible for the damage cannot be identified, charges will be given to EACH student for the FULL amount of the charge.

**c. Room Furnishings.** Campus housing spaces provide window coverings, a telephone, and basic furniture. Students accept responsibility for loss of or damage to furnishings, whether from carelessness, vandalism, or accident. All College-issued furniture in student residences and common areas must remain in the room at all times. Students may have additional furniture in their room equivalent to one extra seat per person. Any personal furniture must be removed prior to check-out at the end of the spring semester or charges will be assessed. Halogen lamps, lofts, and waterbeds are not permitted. All college issued-furniture MUST remain in the room in which it is placed (see section d, below). Residence hall storage rooms cannot be used to store furniture.

**d. Room Modification.** Students are NOT permitted to modify their rooms, doors (on either side), furnishings, or telephone equipment, or any other part of the building; nor may students authorize anyone to do any of these things. If a room needs to be painted, the students should place a request with the Office of Housing and Residential Life. Students are not permitted to paint or alter the walls of their living areas or designate anyone else to do so.

**e. Furniture Removal.** There is no approved storage for room, apartment, or suite furnishings outside the student room, apartment, or suite; nor is furniture permitted to be removed from its assigned location. All College-issued furniture in student residences and common areas must remain in its designated area. Furniture cannot leave campus or be stored in common areas or storage rooms. Students will be billed for missing furniture, at full replacement costs. Any service cost to reassemble or replace room furniture will be charged to room residents. The furniture located in lounges and study rooms is provided

for general use and should not be removed from those areas. Removal or misappropriation of this furniture may result in fines and disciplinary action. Furniture intended for inside use, whether the property of the College or the individual, may not be left outside. Items left outside are subject to confiscation and disposal.

**f. Insurance.** The College does not assume any responsibility for, nor does it provide insurance coverage for, the loss of or damage to a student's personal property/effects when stolen, damaged, or destroyed through willful, malicious or careless acts, or by causes beyond the control of the College. It is highly recommended that students purchase renter's insurance to cover the cost of repairing and/or replacing their personal belongings should they be lost, stolen, or damaged.

## 9. PUBLIC AREA DAMAGES

Charges will be assessed for damages or vandalism to public areas in campus housing. If the individual(s) responsible for the damage cannot be identified, charges will be divided among all students sharing responsibility for that public area (e.g., hall, floor, building).

## 10. KEYS

Students are responsible for all keys assigned to them for their designated living space(s). There will be a \$50 charge (minimum) to replace the key(s) and change the lock(s). Students must return keys to the Office of Housing and Residential Life when a living space is vacated; unreturned keys carry a \$50 fine. Unauthorized possession, duplication, or use of residential keys is subject to disciplinary action. Students are responsible for immediately notifying the Office of Housing and Residential Life when they notice a missing key so that the door lock can be rekeyed to ensure safety of people and belongings in the space.

If a student has been locked out of their room or has been locked out of a residence all once the proxy card system has locked the external doors and requires a door to be unlocked, they should contact the Office of Campus Safety to request the door be unlocked. They should show proof of identity. When

Campus Safety unlocks a door for a student, a charge of \$15 per unlocked room door and a charge of \$20 for external door (proxy card) will be assessed to the student's account and these funds contribute to a scholarship fund. Any questions regarding an unlock charge should be directed to the Office of Campus Safety as this office initiates these transactions.

## 11. ABANDONED PROPERTY

All items left in student rooms after closing are considered abandoned property, will be discarded and will have a fine associated with the removal.

## 12. ROOM RATES

If students switch rooms or request reassignment or a medical assignment, or if students are reassigned by College officials, room fees may change, depending on the room size and style (rooms carry different rates). Refunds are made only in the case of withdrawal from the College and may be prorated based on the date of withdrawal.

## 13. VACANCIES IN ROOMS

The Office of Housing and Residential Life reserves the right to assign, with or without notice, any space at any time. If students are in a living space and a vacancy occurs, students must accept a new resident as assigned by the Office of Housing and Residential Life to fill the existing vacancy. Behavior which discriminates against an interested student or an assigned resident will be considered sufficient grounds for discipline, including reassignment.

## 14. GUEST POLICY

**a. Overnight Guests.** All overnight guest stays are contingent on the approval of all residents of the living space. An overnight guest (any person staying in a room overnight who is not a designated resident of that space) may stay for up to three nights per month and must register at the Office of Campus Safety.

**b. Responsibility for Guests.** Whether guests are staying overnight or only for the day, students are responsible for the conduct of their guests in the living area, in the building, and

on campus, whether the student is present or not. Students may be held accountable for any misconduct, loss, or damage caused by a guest.

### 15. RIGHT TO ENTER

It is occasionally necessary for College staff members to enter student rooms in order to fulfill maintenance and repair requests, or to hold inspections to ensure the observance of basic safety and health procedures. Moreover, while fulfilling their responsibility to enforce regulations, College officials may enter student rooms whenever they have reason to believe a violation of College policy is occurring, when they wish to eliminate disruptive noise if the student is not present, and/or when there appear to be serious threats to the safety or well-being of person(s) or property in the living unit. In recognition of the right of all parties involved, College officials must have permission from the assistant dean of students for housing and residential life, the dean of students, or her designee before entering a student living area. The staff members must observe the following procedures whenever it is necessary to enter a student living unit that is maintained by the College:

1. Staff members shall not enter a room without first knocking.
2. It is preferable, but not necessary, that one or all residents are present whenever staff members enter student units.
3. Staff members may enter rooms when residents are not present in order to address health, maintenance, safety, or policy-violation concerns.
4. Staff members will not disturb the personal belongings of a student without that student's consent, except for emergency maintenance or safety conditions that require immediate attention.
5. Searches will not be conducted in personal closed storage areas (e.g., desk or dresser drawers and room closets) without the prior permission of the student or without the expressed written permission of the dean of students, whose documentation will indicate why a search is being conducted and what items are specifically being sought. An exception to this procedure can be made in the case of a violation of basic health and safety standards.

6. Items left out in plain view that appear to establish a criminal act and/or a violation of College policy will be confiscated and documented. A referral will be made to the appropriate College officials, the College judicial system, or an appropriate law-enforcement agency.
7. When College officials have removed items from a living unit in the absence of the residents, they will document the items that were removed and will leave instructions for the residents to contact the Office of Campus Safety or the appropriate student-affairs staff members upon their return.
8. College staff members will not admit a third party to a student room without the resident's permission.
9. The College will cooperate with law-enforcement officials who, having obtained a legally-issued warrant, seek entry to students' living units for the purpose of executing such warrants.

### 16. COMMUNITY LIVING AND CONDUCT

**a. Approved Appliances.** Students may keep the following appliances in their rooms: microwave ovens of 900 watts or less; refrigerators not larger than 4.3 cubic feet in size; stereo equipment, computer equipment, coffee makers; curling irons; hair dryers; fans; surge protectors; and non-halogen lamps.

**b. Cooking/Kitchens.** The College provides cooking facilities for student use. Students are allowed to use a microwave oven and coffee maker in their rooms, but all other cooking should be done in the kitchens. Appliances with open coils are not permitted in College living units. Food and trash resulting from cooking must be disposed of properly. All kitchen lockers and common area refrigerators will be cleaned out at the end of each semester.

**c. Gambling.** Gambling is prohibited in any residence hall, student room, public area, or academic building on campus.

**d. Hallways.** Residence hall hallways are public spaces and are also critical in the event of an emergency which would require the evacuation of the building. Thus, it is important to keep hallways clear of clutter. In order to ensure easy egress from a residence hall room, students are not permitted to keep sports equipment, shoes, boots, or any other personal items in the hallways. Any damages in a hallway will result in charges allocated to the individual(s) responsible. If the individual(s) responsible for the damage cannot be identified, charges will be given to EACH student for the FULL amount of the charge.

**e. Lounges.** Lounges in residence halls are designated as common-use spaces; as such, they are open to all students. Any person or group wishing to hold a meeting or gathering in a lounge must contact the head community advisor of that building to reserve the space. Lounges are not to be used for sleepovers or other longer-term closed gatherings without the permission of the assistant director of housing and residential life for the area. Any damages in a lounge will result in charges allocated to the individual(s) responsible. If the individual(s) responsible for the damage cannot be identified, charges will be given to EACH student for the FULL amount of the charge.

**f. Noise.** In an academic setting, the need for quiet study takes precedence over recreational activities that cause noise. Noise is disruptive whenever it disturbs others. Quiet hours for all campus residences are: Sunday-Thursday, midnight-7:00 a.m.; Friday-Saturday, 2:00-7:00 a.m. During final-exam periods, quiet hours prevail twenty-four hours a day. All other times are considered courtesy hours, when students are asked to cooperate with a request from other students or from staff members.

**g. Pets and Animals.** To preserve student health and safety, animals are prohibited in all College residences, with the sole exception of fish in bowls or in tanks that do not exceed ten gallons. Any student or living unit found with a pet or animal will be fined and face judicial

action. The recommended fine is \$100; if the animal is not removed, additional daily fines will be assessed until it is removed, typically \$25 per day.

**h. Post-Office Box.** The Office of Housing and Residential Life assigns post-office boxes in cooperation with the Gambier Post Office. Each student is assigned a box-mate; the boxmates share the post-office box during their time at Kenyon. Students are issued keys to their assigned post-office boxes at first-year check-in. The Office of Housing and Residential Life reserves the right to reassign any box if a student withdraws for any reason other than an off-campus study program. Students must have their keys to get mail.

**i. Prohibited Items in College Residences.** Flammable liquids (e.g., bottles of propane gas, lighter fluid, dangerous chemicals), candles, incense, or other open-flame devices, regardless of wick or condition of wick and purpose, are not allowed in College living units. Allowing excessive dirt or garbage to accumulate is prohibited. Draperies or tapestries that cover lights or ceilings are not allowed, especially those that take up more than 50 percent of the wall space. Appliances that are not UL-approved are prohibited, especially those that have high surface temperatures or that may create a fire or shock hazard, such as sun lamps, halogen lamps, hot plates, toasters, toaster ovens, and space heaters. Other items prohibited in campus housing include gas grills, lofts, and waterbeds. Cleaning game or fish on campus is prohibited. (See also AA. Weapons below.)

**j. Satellite Dishes and Cable Television.** In order to legally keep and use a satellite dish in a campus residence, students must observe the following guidelines:

- They must request permission from the Office of Housing and Residential Life.
- The dish must be completely inside the room so that the window can fully close. Neither the dish nor any of its parts may be outside the window frame.
- The dish must be free-standing and not

attached in any way to any furniture, to any part of the room, or to any part of the building, interior or exterior.

- The dish and its signal are to be used only in the room where the dish is located. Students may not run wires or cables to other rooms or elsewhere on campus. Repair of damage caused by unauthorized use will be assessed to students assigned to the rooms involved in the violation.
- The assigned residents of the living space are responsible for ensuring that the satellite-dish system does not result in any violation of College rules and regulations.
- If the satellite-dish system is associated with illegal behavior, damage, vandalism, a violation of any Kenyon policy, or other areas of concern, College officials may require that it be removed.
- The College provides cable television service to all main lounge areas; it is not available in student rooms. Residents of Farr Hall, the Acland Street Apartments, the Bexley Place Apartments, the New Apartments, and the Taft Cottages may contract directly with the cable company for service.

**k. Solicitation.** Student residences are not open to any person selling or buying.

**l. Storage.** The College may provide limited storage space for suitcases, boxes, and the like, but reserves the right to refuse any item. The College is not responsible for any lost or stolen items placed in storage. Kenyon College property is not permitted to be stored in storage rooms. All items stored in student storage rooms must be cleared at the end of each academic year; during the summer, items left will be discarded.

## P. IDENTIFICATION AND PASSPORT PHOTOS

Kenyon photo IDs and Passport photos are taken at the Campus Safety office. The first ID is free, and replacement IDs have a fee of \$20.00. The fee can be charged to your student account or can be taken anytime.

Passport photos can be taken Monday-Friday, 8:30 a.m.-4:30 p.m. The fee is \$10.00 for two

pictures and can be charged to your student account.

## Q. MOTOR VEHICLES

The College does not encourage undergraduates to have automobiles on campus, and first-year students are especially advised not to have them. The College has a specified number of parking spaces and cannot exceed that number. Should a student have a grievance, s/he may file a complaint at Campus Safety, which will be heard by the Appeals Board (two students and one faculty member). The Appeals Board meets every two weeks, and all decisions are final. However, if students choose to bring a car to campus, the College emphatically disclaims all responsibility for accidents or damages to vehicles which may occur. Each student owning or operating a motor vehicle at Kenyon who fails to register it with the Office of Campus Safety within twenty-four (24) hours after arrival in Gambier will be subject to a fine. Students can only use the parking decal assigned to them. Students are expected to adhere to all guidelines provided in the "Regulations for Student Operation of Motor Vehicles," which may be obtained at the Campus Safety Office. Fines incurred must be paid within 30 days of issuance or be subject to registration hold or other disciplinary action.

## R. ORGANIZATIONS NOT AFFILIATED WITH THE COLLEGE

1. When Kenyon is in session, organizations not affiliated with the College may not conduct their affairs on campus unless sponsored by a registered Kenyon group or organization.

2. Nonaffiliated organizations that are College-sponsored are permitted on campus, provided that their College sponsors follow the appropriate scheduling and requesting procedures for the use of the College facilities.

3. Nonaffiliated organizations that have received permission to be on campus are expected to conduct themselves responsibly and in accordance with the College's conduct regulations. The College sponsor will be held responsible for the visitor's actions. These organizations may transact business only in the areas designated by the College.

4. Nonaffiliated organizations that wish to use College facilities, but do not have a College sponsor, must make arrangements with the dean of students.

## S. ROOFS

Students are strictly prohibited from going onto the roofs of residences or any other College buildings. Students who allow others to access the roof from their room will also be held accountable. The College assumes no financial or legal responsibility for injury due to this prohibited act.

## T. SENIOR WEEK

Non-seniors must leave campus when the second semester ends. Students without permission from the Office of Housing and Residential Life who are found on campus or at Senior Week functions will be fined \$100 per day and may lose their Senior Week privileges or other housing privileges.

Senior Week functions are for members of the Senior Class only. No non-seniors, including those students on campus with permission, may participate in Senior Week activities. Students graduating in December are eligible for Senior Week but must seek approval from one of the Senior Class Committee advisors.

## U. SEXUAL MISCONDUCT

Sexual misconduct of any form is a serious violation of College and community standards, and it will not be tolerated at Kenyon. Sexual misconduct endangers the environment of mutual respect, and it is considered an act of aggression and coercion, not an expression of sexual intimacy. Persons of any sex can be subject to and can be capable of sexual misconduct. Sexual misconduct can occur between people of the same gender; it can occur among “couples” involved in a romantic relationship. The College policy on sexual misconduct reflects the serious intent of Kenyon to provide resources and recourse for individuals whose rights may have been violated by an act of sexual misconduct. Although a single incident of a student held responsible for sexual misconduct could well warrant dismissal from the College, the Judicial Board

is advised that a second sexual-misconduct violation for a student should result in his or her dismissal.

There is no statute of limitations for sexual misconduct at Kenyon. A student can bring charges against another student as long as both are currently enrolled in the College. There are four major categories of sexual misconduct:

- Sexual assault
- Inappropriate sexual touching
- Endangering the health of another person
- Sexual harassment

Students can be accused of or charged with one or more of these offenses for their behavior in a single incident. None of these forms of sexual misconduct will be tolerated at Kenyon.

Campus Senate will review this policy and evaluate its effectiveness every fourth year. It is scheduled for review again in the 2011-12 academic year.

## 1. SEXUAL ASSAULT

*Definition:* Sexual assault occurs when a student engages in sexual relations with another student without that person’s verbal consent. Sexual assault includes the sexual conduct known as rape, whether forcible or nonforcible. Forcible rape is the severest form of sexual assault. Either males or females can be aggressors in sexual assault, and sexual assault can occur in same-sex relationships.

*Definition of sexual relations:* Sexual relations include, but are not limited to, vaginal intercourse, anal intercourse, fellatio and cunnilingus, touching the genitals, or inserting any object into the vagina or anus of another person. Ultimately, the Judicial Board will decide if a particular sexual activity, not listed above, is defined as sexual relations.

*Definition of verbal consent:* Verbal consent is given when a student clearly indicates by spoken words his or her willingness to engage in a particular form of sexual relations.

## UNDERSTANDING THE VERBAL CONSENT REQUIREMENT

Verbal consent must be given for each form of sexual relations that takes place, and this consent must be given immediately before each

form of sexual relations occurs. For example, a woman who consents to vaginal intercourse and cunnilingus has approved participation in these forms of sex, but she has not consented to participation in other forms of sex, such as anal intercourse or fellatio. Both people need to be specific about the forms of sexual relations to which they are consenting. Any form of sexual activity to which both people do not verbally consent is not allowed. Silence on the part of one or both parties is not consent.

Verbal consent for any and all sexual activities may be withdrawn by either party at any time before the completion of the sexual activity (or activities) in question. To withdraw consent once it has been given, normally a clear and strong verbal statement is required. The main exception to this rule is that consent is automatically withdrawn by a person who has fallen asleep or passed into a state of unconsciousness.

Obviously, verbal consent that is gained through the use of physical violence, verbal threats, or other forms of coercion is not valid.

Both sexual participants have a responsibility to communicate their feelings and to ensure that verbal consent has been given before sexual relations occur. However, in situations where one student clearly is the initiator of sexual activity (regardless of gender) and the other student clearly is the responder, then a greater burden falls on the initiator of the sexual act(s) to ensure that verbal consent has been granted by the responding student. In situations where both students are active in initiating sexual activity, the responsibility for ensuring that verbal consent is given falls on both students equally. Verbal consent should be explicitly sought and explicitly granted. Lack of verbal objection is not consent.

If neither student sought or obtained the partner's verbal consent, but one person was very active in initiating sexual relations, and the other person was not, then the student actively initiating sexual relations would generally be subject, if a Judicial Board determines a violation has occurred, to the sanctions provided for sexual assault.

## **ALCOHOL, DRUGS, AND VERBAL CONSENT**

The Kenyon College sexual misconduct policy is built on the requirement of obtaining verbal consent.

The use of alcohol and other drugs impairs judgment and undermines the ability to make good decisions, including decisions about sexual activity. Students need to realize that, when they engage in sexual activity after consuming alcohol or using other drugs, they are acting in a potentially risky and harmful manner. Moreover, the risks and dangers become more real when students engage in sexual activity after becoming intoxicated.

A level of intoxication can be reached, short of losing consciousness, where a student's judgment is so impaired he or she is not capable of giving valid verbal consent. It is the task of the Judicial Board to determine if this point of impairment had been reached before a student's verbal consent was given.

The use of alcohol or drugs does not minimize a student's responsibility for sexual assault or any form of sexual misconduct. Being under the influence of alcohol, or any other drug, does not excuse behavior. In particular, it does not mitigate or nullify a charge of sexual assault or any other form of sexual misconduct.

The use of alcohol or drugs does not, in and of itself, negate a student's ability to give verbal consent, nor does it remove a student's responsibility to communicate his or her feelings and ensure that any verbal consent given is valid.

## **PENALTIES FOR SEXUAL ASSAULT**

Cases where force or threats are used, or where the victim is asleep or unconscious, or when intoxicants are forcibly, deceitfully, or surreptitiously administered to the victim by the perpetrator or the perpetrator's associates are particularly severe cases of sexual assault. In such cases, the required penalty for the responsible party is dismissal (permanent removal) from the College.

For other cases of sexual assault, the usual penalty for the responsible party should be either dismissal from the College or suspension from the College for a period of at least

two semesters or for as long as the victim is enrolled as a student in the College (whichever is longer).

An apparent exception to this policy would be a case where neither person gave verbal consent and where both people were clearly active in initiating and participating in all forms of sexual relations that occurred. Although each student would be in violation of Kenyon's consent policy, neither would appear to be guilty of sexual assault. If such a case appears before the Judicial Board and the Judicial Board believes a penalty is warranted, then a penalty less severe than suspension would seem to be appropriate.

## 2. INAPPROPRIATE OR UNWANTED SEXUAL TOUCHING

*Definition:* Inappropriate sexual touching occurs when a student intentionally touches another student's body in a sexual way and in an inappropriate context. Inappropriate sexual touching can be done "skin on skin" or through clothing. However, skin on skin touching of a person's genitals or anus without verbal consent is more than inappropriate sexual touching; it is sexual assault. Exactly what constitutes inappropriate sexual touching varies according to the context and the nature of the relationship, if any, between the people involved.

Unwanted sexual touching occurs when a student continues to touch another student in a sexual way after the student has indicated, by words or actions, that the touching is not desired and should stop.

**Penalties.** Because of the range of behaviors it covers, there is no recommended penalty for inappropriate or unwanted sexual touching. However, dismissal from the College should be considered as the punishment in severe cases of inappropriate or unwanted sexual touching.

## 3. ENDANGERING THE HEALTH OF ANOTHER PERSON

*Definition:* If a student knows (or has reason to believe) that he or she is infected with a disease or condition that can be transmitted sexually, that student has an obligation to inform potential sexual partners of his or her condition before having sexual relations with

them. If the infected student fails to do this, then he or she is guilty of endangering the health of another person.

**Penalties.** The recommended penalty for endangering the health of another person is suspension from the College for a period of at least two semesters. However, dismissal from Kenyon should be considered as the punishment in severe cases of endangering the health of another person.

## 4. SEXUAL HARASSMENT

A definition of sexual harassment, and the procedures for students to follow in cases of sexual harassment can be found at [www.kenyon.edu/x7499.xml](http://www.kenyon.edu/x7499.xml).

### WHAT TO DO IF YOU BELIEVE YOU HAVE BEEN A VICTIM OF SEXUAL MISCONDUCT

If a Kenyon student believes she or he has been, or may have been, a victim of sexual misconduct, the student should pursue the options listed below. These options can be pursued individually or in any combination the student chooses.

**a. Seek counseling and advice.** A student can seek counseling and advice from anyone—a friend, a faculty member, or a relative. However, people in some positions have the training, knowledge, and experience to be particularly helpful sources of counseling and advice for students who believe they are, or might have been, victims of sexual misconduct.

A student can consult with people in the following positions with complete legal confidentiality. This means that people in these positions cannot be forced by legal means to reveal what has been told to them when acting in their professional capacity. While on campus, students can see persons in the following positions for advice with complete legal confidentiality:

- A member of the College's counseling staff at campus extension 5643
- A member of the Health Services staff at PBX-5525
- One of the College's sexual misconduct advisors

- A member of the clergy or board of spiritual and religious life

The list below names other persons on campus who are good sources of advice and information for students who think they have been, or might have been, victims of sexual misconduct. The people on this list do NOT have positions that give them the right of legal confidentiality, but they are especially useful sources of information about the College's rules and judicial procedures regarding sexual misconduct:

- Dean of Students Henry Toutain, campus extension 5136
- Associate Dean of Students Tacci Smith, campus extension 5136
- Associate Dean of Student Chris Kennerly, campus extension 5136
- Community advisors, campus extension 5142, and spiritual advisors, campus extension 5223
- Judicial Affairs Coordinator Samantha Hughes, campus extension 5140
- Mariam El-Shamaa, Equal Opportunity Officer (EOO), campus extension 5820

**b. Consult with a College counselor to confidentially report the incident.**

The complainant may choose to mediate the complaint. A member of the College counseling staff will serve as the mediator. If the complainant chooses mediation the following guidelines will be observed:

- Everything discussed during every phase of the mediation process and after its completion is confidential. Details of the mediation, including any written documentation, will not be discussed with anyone unless both the complainant and the accused give written consent to the contrary.
- The purpose of mediation is not to determine if a policy or policies have been broken nor is it to issue sanctions against the accused; it is to help bring resolution to a conflict.
- A neutral College counselor, one who is not working with either the complainant or the accused, will serve as the mediating counselor.
- Both the complainant and the accused may

seek an advisor from within the Kenyon community who holds legal confidentiality in the area of sexual misconduct (College counselor, medical staff, clergy, Sexual Misconduct Advisor) to be present with him/her throughout the mediation. The role of the advisor is one of support and to ask clarifying questions only.

- If both parties agree on a resolution, the terms of the agreement will be documented and both the complainant and the accused will sign the agreement. A copy of the agreed upon terms will be kept by the mediating counselor and a copy given to the complainant and the accused. The terms of the mediated agreement are confidential.
- If both parties can not come to an agreeable resolution, the complainant may choose to proceed with filing a formal complaint with the College, and/or local law enforcement.

The complainant always has the right to file formal charges even if formal mediation has been agreed upon should s/he feel it necessary and both parties are still currently enrolled in the College.

**c. File a formal, written complaint to start college judicial proceedings.**

To make a formal written report/complaint with the College charging another student with one or more forms of sexual misconduct, students should contact the EOO, the dean of students, the associate dean of students, the Judicial Affairs Coordinator, or the Office of Campus Safety to bring charges of any form of sexual misconduct other than sexual harassment (which can be made only to the EOO). Students who believe they have been victims of sexual misconduct are urged to make a formal, written report/complaint, thereby starting the College's judicial process. If the formal, written report/complaint is not made, the College judicial process will not begin, and there will be no hearing, and no possibility of accountability. Once the written sexual misconduct report/complaint has been made, the following things will occur:

1. The written report/complaint will be shared with the EOO, the director of cam-

pus safety, the dean of students, the associate dean of students, and the judicial affairs coordinator.

2. The judicial affairs coordinator will place the matter into the formal College judicial process, assigning the matter to one of the student affairs staff members who serves as a judicial hearing officer.

3. The administrator to whom the case is assigned will contact the student who filed the report/complaint to discuss the College judicial process with her or him. If the case goes to a hearing before the Judicial Board, the student bringing the complaint will serve as complainant, and she or he will be responsible for presenting her or his case. The administrator will work closely with the complainant to advise the student about the judicial process and presenting the case. In general, a case cannot go forward if the complainant chooses not to testify on her or his own behalf.

#### **d. File criminal charges in the Knox County legal system.**

Students who believe they have been, or may have been, the victim of a sex crime are encouraged to consider filing charges in the Knox County criminal justice system. Robert Hooper, 5109, director of campus safety, can advise students on this process and assist anyone who wants to make formal legal charges by contacting the appropriate persons in the local law enforcement community.

#### **KENYON'S SEXUAL MISCONDUCT POLICY AND OHIO'S CRIMINAL LAWS**

According to Ohio law, information about alleged felonies must be reported to civil authorities unless the information is shared with a physician, a member of the clergy, or a trained counselor, including the College's sexual misconduct advisors. Other Kenyon officers, including deans, faculty members who are not sexual misconduct advisors, and members of the campus safety staff, are obligated to report alleged felonies to the Knox County Sheriff's Department, usually through the Office of Campus Safety. This latter reporting requirement applies to all Kenyon student employees as well. As a practical matter, prosecuting at-

torneys typically will not bring charges against the accused in a sexual assault case unless the accuser is willing to support the case and testify against the accused.

In compliance with the applicable federal and Ohio laws, the College reserves the right to notify authorities and the local community of any threatening situation and to take appropriate action without the consent of the victim.

Kenyon reserves the right to take action regarding a student or a student group whenever an activity is viewed as threatening or injurious to the well-being or property of members of the College community or to Kenyon property or the orderly functioning of the College.

A student charged with sexual misconduct by Kenyon can be prosecuted under Ohio criminal statutes and also disciplined under the College's policies, rules, and regulations. These actions are separate, and they are not dependent upon one another. On campus, cases of sexual misconduct are resolved through the Kenyon judicial process, and they are normally heard by the Judicial Board. Campus proceedings will not be unduly delayed even if legal proceedings are also in progress as these are distinct processes.

#### **KENYON'S POLICY ON RELEASING INFORMATION ARISING FROM SEXUAL MISCONDUCT CASES**

In judicial cases arising out of a formal sexual-misconduct complaint (including sexual assault, inappropriate or unwanted sexual touching, endangering the health of another person, or sexual harassment), the victim or complainant has the right to be notified of the final results of the judicial hearing and the results of any appeal. Such information shall be limited to the name of the accused student, the violation committed, and any sanction/penalty imposed by the College on the student.

If the student is found guilty of sexual assault through Kenyon's judicial process, the College will disclose to the public the final results of the disciplinary proceeding after any internal avenue of appeal has been exhausted. Such information shall be limited to the name

of the responsible student, the violation for which the student was held responsible, and any sanction/penalty imposed by the College on the student. This information will be released unless the victim is opposed to the release of the information. In case of this opposition, all information except the name of the guilty student will be released to the public. Kenyon will not disclose the name of any other student, including a victim or witness, without the prior written consent of that other student.

*Note: The Sexual Misconduct Task Force is a coalition of College offices and campus organizations that coordinate campus efforts to promote awareness of, and reduce the risk of, sexual misconduct through prevention, policy, and advocacy. The task force, whose membership includes students, faculty members, and administrators, conducts regular reviews and assessments and makes recommendations to the College and campus organizations.*

## V. SMOKING

The College recognizes that smoking is hazardous to both the smoker and the nonsmoker. Smoking is not permitted in any College buildings, including all residence halls, apartments, houses, and academic and administrative buildings. Smokers are asked to respect smoking guidelines and smoke only in designated areas. This rule applies to all campus buildings and all outdoor athletic competitions (with the understanding that, at athletic events, parking areas are designated smoking areas). Smoking within 25 feet of a building is against Ohio Law, and anyone smoking outside a building is required to uphold this aspect of the law. Hookahs, even those used to smoke tobacco, are not permitted on College property.

## W. SOCIAL EVENTS AND PARTIES

It is the goal of Kenyon College to provide an environment in which safe parties may be hosted by individuals and campus groups. It is expected that those who agree to host parties with alcoholic beverages also agree to ensure the safety of those in attendance. Party monitors work in collaboration with party

hosts to monitor and comply with established safety expectations, and rely on campus safety officers for back-up when a safety risk exists. Campus Safety officers are permitted to walk through any event and determine if a safety risk exists and then how to handle it. It is our goal to modify the campus culture and to promote one that indicates that severe intoxication is not acceptable here. We also want to insure that students are taking care of each other if/when they encounter a fellow student who may be intoxicated.

Campus events may either be OPEN events (open to any individual at the campus and their invited non-college guests), CLOSED events (small group of friends, usually fewer than twenty specifically, identified people, who are gathering for a private occasion in a private living space), or MEMBERS ONLY events (specified group of people, up to but not exceeding 75 people, who are part of a registered student group, and no other guests).

1. Parties or social events (with or without alcoholic beverages) sponsored by any student(s), student group, or organization located in a public College space must be registered by a *Party Registration Form*. Forms for events that include the serving of alcoholic beverages should also include an Alcoholic Beverages Addendum to the *Party Registration Form*. These forms, available in the Office of Campus Safety, the Student Activities Office, Dean of Students' Office, or online, must be submitted no later than 12:00 noon on the Tuesday immediately preceding the event. (For CLOSED events, defined above, there is no deadline for registering the event.) Registered events are held only on College property and in fraternity lodges. Kenyon-recognized organizations may not sponsor parties involving alcohol at any off-campus site.

2. Only students belonging to the sponsoring group, and their invited guests, may attend the registered event. The host(s), who is (are) the resident(s) of a room, suite, or apartment, will be responsible for keeping the size of the gathering within safe and reasonable limits for the space in which the event is being held. For CLOSED events held in a campus room, suite, or apartment, the number of people

allowed is limited by the number of people who can safely be in the space with the door closed or twenty (whichever is fewer. Members-only events can be up to but not exceed 75 people. Approved locations are listed on the registration form.) Students or organizations may request the use of other facilities through the Office of Campus Events located in the Student Affairs Center.

3. *Party Registration Forms* must be signed by two legal aged students who accept responsibility for hosting the event in compliance with College policies and safety guidelines as noted on the form. The president or leader of the group must also sign the form to accept responsibility on behalf of the group. If alcohol is to be served, two to six students of legal age must also sign the form indicating that they accept responsibility to remain sober, along with the hosts, for the serving of alcoholic beverages in compliance with the Revised Code of the State of Ohio. All residents of each shared-living space will be held accountable for violations occurring in that space. At open events and members-only events where alcohol is to be served, party monitors, who are required to stay sober, will be assigned to assist with the safety of the event.

4. Events at which alcohol is served may be either open or closed social events. The total number of expected guests and names of all hosts must be entered on the *Party Registration Form*. The number of persons at an event at any one time must not exceed the designated limit of the space where the event will be held. For CLOSED events (fewer than twenty people and members-only events not to exceed 75 people), guests may be identified and admitted only with prior invitation to the event by either of two procedures:

a. Extending oral or written invitations, each of which must bear the name of an individual invitee, or

b. Extending oral or written invitations and attaching a list of the names of all invited guests and hosts to the *Party Registration Form*. (Persons not on the invitation list may not be admitted to the event.)

5. For OPEN events where alcohol is being served, each guest is required to present a Ke-

nyon ID card and/or legal proof of age before being admitted. Non-College guests must be accompanied by a Kenyon student, must sign a guest list, and they must provide legal proof of age with recognized identification. Kenyon students are responsible for the behavior and well-being of those individuals whom they sign-in to an event as a guest while they are at the event and elsewhere on campus.

6. At OPEN events where alcohol is being served, a hand of each guest must be marked upon entrance in order for that guest to be served and consume alcoholic beverages, and the hand marking designate in some way whether the person is of age or under age. Bartenders must check hands each time a guest is served.

7. Ordinarily, scheduled events must be between the hours of 4:00 p.m. and 2:00 a.m. on Friday nights and 1:00 p.m. and 2:00 a.m. on Saturday nights and must not last longer than six (6) hours. It is expected that noise from events will be kept to a minimum in consideration of those students in surrounding residential areas. *No live or recorded music will be played out of doors after 10:00 p.m.* without the expressed, written permission of the director of student activities. Approval for events with amplified sound and/or alcoholic beverages will not ordinarily be given for events held on nights before scheduled classes and exams or during reading periods, but an exception may be sought from the dean of students or the dean's designee.

8. Faculty guests. To support faculty-student interaction at social events, the sponsors of any event are strongly encouraged to include at least one, but preferably more, faculty or staff members among the invited guests. The *Party Registration Form* should list the names of faculty members who have received formal invitations.

9. Scheduling of any all-College event (concerts, dances, and so on), including hours and arrangements, must be approved by the Office of Campus Events in the Student Affairs Center well in advance of the requested scheduled date.

10. At ALL events, the party hosts are responsible for providing beverages and food.

BYOB events are not permitted at Kenyon. If alcoholic beverages are served at an event, nonalcoholic beverages and food must be readily available throughout the party, in sufficient amounts to serve the number of people attending. The foods must not consist solely of chips, pretzels, crackers, bread, cheese, and popcorn but must also include some of the following: pizza, sandwiches, vegetables, and/or meat. See the *Party Registration Form* for details.

11. Cleanup must occur immediately following an event. Kegs not returned by 12:00 noon the Monday immediately following the registered gathering will be confiscated at the expense of the student(s), deposits will be forfeited, and future party privileges may be jeopardized.

12. Failure to comply with the above regulations could result in a fine and/or judicial action for all party hosts and/or residents of the location where the event occurred.

## X. STUDENT ENTERPRISES

A student intending to transact business on campus must apply to the director of student activities and the Student Council treasurer. No one will be permitted to solicit door-to-door in residential facilities. Business may be transacted only in the lounge areas of residential facilities, the lobbies of Peirce Hall and Gund Commons, and on Middle Path.

## Y. THEFT

Theft is stealing another's property or being in possession of another's property without permission from the owner. In particular, each student is expected to respect the property of their fellow community members and the College. If stolen property is found in a shared, common living space, all residents will be held accountable.

## Z. NATURAL DISASTER WARNING SYSTEM

The alarm will be sounded *only* if the Knox County Emergency Management Agency (KCEMA) determines it necessary. When you hear it, *take cover*. The KCEMA siren will be blown as follows: Continuous steady siren for

fifteen seconds, silence for fifteen seconds, siren for fifteen seconds, silence for fifteen seconds, and so on for three minutes. The all-clear will be two 30-second signals separated by a thirty-second silence. The alarm is tested at 12:00 noon on the first and third Fridays of each month.

## AA. WEAPONS

The following items are strictly prohibited anywhere on campus: fireworks, firecrackers, and other incendiary devices; guns, BB guns, air rifles, ammunition, knives, swords, axes, martial arts equipment, paint guns, and other dangerous instruments. (Bows and arrows may be permitted for target shooting, but must be registered and held in the locked storage area in the campus safety office when not in use.)

Items that have other purposes (e.g., baseball bats, laser pointers), but which are used as weapons will be documented as weapons.

## Procedures for Handling Infractions of Regulations: The Judicial Process

### *Established by the Administration*

The purpose of the Kenyon College judicial process is to review alleged violations of Kenyon policies, procedures, and regulations by individual students, groups of students, or student groups. The various components of the College judicial system are designed to respond to such violations; to determine the facts based on a standard of the preponderance of the evidence; to ascertain responsibility, including the guilt or innocence of the accused student(s) or group; and to determine appropriate sanctions.

The dean of students or her designee has the authority and responsibility for administering the Kenyon judicial process. The dean of students, the associate dean of students, judicial affairs coordinator, the Judicial Board, and the College's administrative hearing officers (normally, other members of the student affairs staff) seek to provide a judicial process and disciplinary function that educates students as to their rights, responsibilities,

and accountability as members of the Kenyon community. The College's judicial process encourages students and/or the groups to which they belong to recognize their obligations to themselves, to their peers, to Kenyon, and to society as a whole. As such, a goal of the judicial process is to build an understanding on the part of the students of the positive and negative outcomes of one's behavior and the manner in which that behavior can and often does affect others. Through due-process procedures, the College judicial process seeks to ensure the protection of student rights in questions of alleged violations of Kenyon policies, procedures, and regulations.

It should be noted that the College reserves the prerogative to require students to leave the campus prior to the formal consideration of alleged violation of policies whenever their activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College. An individual or group may be required to curtail or modify behavior and/or activities prior to the formal consideration of alleged violation of policies whenever these behaviors and/or activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College.

Kenyon's president or her designee (normally, the dean of students) may invoke immediate interim suspension following an incident of serious misconduct on the part of individuals or groups when the offender poses a threat to self, others, property, or the orderly functioning of the College or when a felonious act has been committed. In compliance with federal and Ohio law, Kenyon reserves the right to notify authorities and the local community of any dangerous or threatening situations and to take action without the consent of the victim.

The College reserves the right to determine whether particular violations of local, state, or federal laws also constitute a violation of Kenyon rules and standards. Therefore, students who are arrested and charged by law-enforcement authorities may be notified that

College disciplinary action also is pending. The Fourteenth Amendment of the U.S. Constitution does not refer to or place restrictions upon private action, and therefore private institutions of higher education, including Kenyon, are not bound by the prohibitions in the Fourteenth Amendment. The College is in a contractual relationship, not a constitutional relationship, with its students, unless it is in some way acting on behalf of the state, and its procedures are designed to protect the best interests of all its students and the Kenyon community as a whole.

In cases where students have allegedly violated both campus regulations and statutory laws, the College may be faced with a situation where it must take action in its code of conduct prior to action by the courts. This does not constitute double jeopardy for the student, since the campus and the community are two separate jurisdictions. Therefore, the proceedings are independent of one another and one need not necessarily await the outcome of the other. The institution is maintaining its integrity by lawfully determining that the student is unfit to continue in the academic community. Kenyon reserves the right to take action against a student in cases where the College feels that the presence of the student on campus may endanger or disrupt the Kenyon community (see also "Campus Government Constitution," Article IV, available at [www.kenyon.edu/x7491](http://www.kenyon.edu/x7491)).

**1. Infractions.** Infractions of nonacademic rules and regulations will be reported to the dean of students, who, with other members of the student affairs staff and the Judicial Board, has jurisdiction in such cases. Initially, a staff member will be assigned to make a preliminary inquiry into the nature and circumstances of each alleged violation. The accused student(s) and/or group will be contacted by the student affairs staff member to schedule a meeting to discuss the report or complaint of alleged behavior and to review the judicial procedures and the student's rights in that process.

In cases when the staff member deems the student(s) and/or group not responsible, or feels that the infraction(s) merit(s) nothing more than a warning, the staff member may

adjudicate the case within a reasonable time, not to exceed thirty (30) days while the College is in session. If the infraction appears to call for a more serious sanction, such as disciplinary probation, suspension, or dismissal, the student affairs staff member shall consult with the accused student(s) and, at the discretion of the staff member, with the chair of the Judicial Board. The accused person, persons, or group are normally given the opportunity to elect either an administrative hearing or a hearing by the Judicial Board for judgment, and if appropriate, assignment of a sanction. Note that the staff member assigned to a case always has the prerogative to refer the case to the Judicial Board because of serious alleged violations for which a hearing by the community, as represented by the Judicial Board, might be more appropriate. Such a referral by the staff member may also occur when the case is of such a nature that the staff member can not formulate a judgment on the basis of the information available. The choice for a student or group may be limited to an administrative hearing if the alleged violation occurs at a time when the Judicial Board cannot be convened.

**2. Rights of the complainant and rights of the accused in the College judicial process.** When a student or student group appears as a complainant or accused in a judicial hearing, they are afforded certain due process or procedural rights by the judicial process.

#### **Rights of the Complainant**

- a. The right to decide whether he/she wishes to press charges.
- b. The right to review all written documents prior to the hearing.
- c. The right to present evidence and witnesses. The names of witnesses must be given to the chair at least twenty-four (24) hours in advance of the hearing. The number of witnesses called may be determined by the chair to limit unnecessary repetition during a hearing. Witnesses should be notified by complainant of the date, time, and place of the hearing.
- d. The right to question all evidence, as well as the witnesses and the accused.
- e. The right to have a member of the admin-

istration, faculty, or student body who is not party to the case or the Judicial Board assist in the preparation of the case and to be present at the hearing. The role of the advisor is to support and to advise the student, not to present the case. It is the student's obligation to present his or her own case and ask his or her own questions. The complainant is responsible for notifying the chair of this at least twenty-four (24) hours in advance of the hearing.

f. In a case involving an act of violence, the right to be notified of the final result of the judicial hearing and the result of any appeal. Such information shall be limited to the name of the accused student, the violation committed, and any sanction/penalty imposed by the College on the student.

g. In sexual-misconduct cases, the right of the complainant not to have her or his sexual history discussed during the hearing, except as it involves the accused student's past sexual activity with the complainant.

#### **Rights of the Accused**

- a. The right to an unbiased hearing and one based on evidence presented at the hearing.
- b. The right to remain silent; silence is not construed as evidence of guilt.
- c. The right to receive written notification of the charges brought against them (three [3] days notice for Judicial Board hearings).
- d. The right to review all written documents prior to the hearing.
- e. The right to a hearing conducted without unreasonable delay following the notification of charges.
- f. The right to present evidence and witnesses in their defense. The names of witnesses must be given to the chair within twenty-four (24) hours of the hearing. The number of witnesses called may be determined by the chair to limit unnecessary repetition during a hearing. Witnesses should be notified by accused of the date, time, and place of the hearing.
- g. The right to question all evidence, as well as witnesses and the complainant.
- h. The right to protection against self-incrimination.
- i. The right to have a member of the administration, faculty, or student body who

is not party to the case or the Judicial Board assist in the preparation of the defense and to be present at the hearing. The role of the advisor is to support and to advise the student, not to present the defense. It is the student's obligation to present his or her own response and ask his or her own questions. The accused is responsible for notifying the chair of this at least twenty-four (24) hours in advance of the hearing.

j. The right to written notification of a decision in a case in a timely manner.

k. The right to appeal the decision of the hearing officer or Judicial Board to the dean of students based on any of the following:

- fairness of the original proceeding;
- decisions based on evidence;
- appropriateness of the sanction; and/or
- new evidence unavailable to the original proceeding.

It should be noted that the burden of proof in an appeal shifts to the accused student or group, and that an appeal is not a rehearing of the case. Sanctions are not enacted until the appeal deadline has passed or the appeal process has been completed.

The written appeal must be filed with the dean of students within three (3) business days of written notification to the accused of the outcome of the administrative or Judicial Board hearing. The dean of students will normally make a decision regarding the appeal within fifteen (15) days of receipt of the appeal. In the presence of unusual circumstances, only the president of the College can grant additional time to the dean of students for the consideration of the appeal.

The dean of students has the option to hear or not hear the appeal. Normally, an appeal will be heard unless it is obvious that none of the criteria listed above for an appeal is present. In hearing an appeal, the dean of students may deny the appeal and maintain the decision of the Judicial Board or administrative hearing officer, grant the appeal and modify the sanction or penalty, or refer the case back to the Judicial Board or administrative hearing officer for further deliberation. The decision of the dean of students regarding the case shall be final and not subject to further appeal.

**3. Sanctions.** While sanctions may be of a punitive nature, they are intended to be educational as well. Notice of sanctions may be sent to the student's parents or guardian, faculty advisor, or coach, and the infraction is entered on the student's record in the dean of students' office. One year following graduation, all disciplinary records are purged except those incidents that resulted in suspension or dismissal from the college. For students who withdraw from the college, all records are retained for five years. Actions that may be taken, individually or in combination, by the staff member or the Judicial Board are:

- **Statement of Concern:** May be issued to students who are found in the presence of a policy violation, but who are not held formally accountable for that violation.

- **Warning:** A warning is notification that a student has incurred certain violations and that continuance of such conduct will result in more severe disciplinary action.

- **Educational Sanctions:** These include but are not limited to alcohol education program, mandatory counseling assessment and adherence to professional counseling recommendations, research paper or project, hall or building program with a Residential Life Staff member, group education program, etc.

- **Behavioral Contract:** The purpose is to allow a student to successfully manage him or herself while remaining an active member of the Kenyon community. The contract may only be entered into by the Student Affairs Staff. Failure to complete the agreed upon provisions of the contract would result in suspension from the College, unless the student voluntarily withdraws. Whether suspended or withdrawn, the student must follow the re-admittance process outlined in the *Course of Study*.

- **Administrative Hold on Student Accounts:** Enforced most often when students have failed to comply with assigned tasks from a judicial hearing. This action precludes students from registering for classes, obtaining transcripts, diplomas, etc. Once the outstanding sanction has been satisfactorily completed the hold will be lifted.

- **Disciplinary Service:** Service hours expected to be completed in a given area as

a way to give back to the campus or local community.

- **Fine/Restitution:** A fine or restitution is a monetary penalty for violations such as vandalism or damage to College property or the property of others. All fines must be paid by personal or cashier's check; they will not be applied to a student's account.

- **College Restriction:** Restriction from certain buildings, events, activities, etc.

- **College Housing Restriction:** Residence re-assignment, removal from College housing, loss of lottery points, or restrictions on type of housing where a student may live.

- **Disciplinary Probation:** This sanction means that for a specified period of time (ordinarily no less than the equivalent of one semester) a student is not in good standing with the College. If a student is found responsible for a second violation while on disciplinary probation, the student will, at a minimum, be placed on restrictive disciplinary probation.

- **Restrictive Disciplinary Probation:** This status designates a specified period of time, usually not less than one semester, during which the student, organization or group is deemed not in good standing with the College. When imposed the student, group, or organization is not permitted to represent the College in any official capacity, may not affiliate with or hold an office in a student organization/group, is ineligible to affiliate with a Greek organization, varsity athletics and/or club sports. If a student is found responsible for a second violation while on Restrictive Disciplinary Probation the student will be suspended or dismissed from the College. Notification is sent to the faculty advisor, coach and the administrator responsible for the organizations to which the student belongs; notification will also be sent to parents or guardians.

- **Administrative Withdrawal:** Withdrawal from a specific course, major or academic department may be invoked in cases where a student or group of students violates expectations of the academic arena (classroom incivility, disruption, harassment of faculty or other students in the classroom).

- **Deferred Suspension:** Students who

have been held responsible for behavior that warrants suspension, but where mitigating circumstances and additional sanctions may allow a student to remain in the community while these sanctions are being completed. Failure to complete any of the additional expectations by the stated deadlines will lead to the immediate implementation of suspension without further hearing. In addition, if a student is found responsible for any further College policy violations, at minimum, the student will automatically be recommended for suspension for a minimum of one full semester.

- **Suspension:** The denial of the opportunity to continue in the College for a specified period of time (ordinarily no less than one semester), or indefinitely until the student's intervening record can support an application for readmission. While suspended, a student is not allowed to be on campus or to attend any official College event. The intent is for the student to have time away from the College to consider the implications of his or her behavior, and to return to campus with a better understanding of his or her responsibility within the community. In the event, additional sanctions are imposed in conjunction with the suspension, these sanctions will most likely be expected to be completed prior to an application for readmission to be considered.

- **Dismissal:** The denial of the opportunity to continue as a student at the College. A student who has been dismissed is not eligible to apply for readmission. A student who is dismissed is not allowed to be on campus or to be at any official College event at any time.

- The sanction or sanctions determined at the time of a hearing (Administrative or Judicial Board) are effective immediately following the appeal period unless indicated otherwise by the dean of students.

- Policies governing the recording of suspensions and dismissals on the student's permanent record can be found in the College's academic rules and regulations published in the *Course of Study*.

- For organizations and groups, disciplinary action may include, but is not limited to, restriction of social events; loss of housing

privileges; probation; suspension; dismissal; and/or removal of recognition of the group.

- If a sanction is violated, the individual and/or group shall be subject to further disciplinary actions.

- In any case of discipline, whether it is adjudicated by a staff member or by the Judicial Board, that judgment shall be final, subject only to appeal by the accused to the dean of students. Such an appeal must be filed within three (3) business days of the official notification. A form for this purpose is available at the Office of the Dean of Students in the Student Affairs Center. After hearing the appeal, the dean of students may either sustain the decision being appealed or impose an independent judgment of the case.

- In the case of a Judicial Board hearing, a tape recording of the hearing will be made by the administrative liaison to the Judicial Board. The recording is the property of Kenyon College, and it is available only to the dean of students for the purpose of making determinations stemming from an appeal of the results of a Judicial Board hearing. Other parties may not have access to, or copies of, the recording. The recording is destroyed when: 1) the time period for filing an appeal expires without an appeal being properly filed, or 2) a decision is made by the dean of students in the event of an appeal.

See “*Summary of College Rules Violations*”  
[www.kenyon.edu/x7502.xml](http://www.kenyon.edu/x7502.xml).

## Summary of College Rules Violations Administered by the Student Affairs Staff, the Judicial Board, and the Greek Council Judiciary

### I. BREAKDOWN OF REPORTED INDIVIDUAL AND ORGANIZATIONAL VIOLATIONS

	2008-09	2007-08	2006-07	2005-06
Alcoholic Beverages				
Underage possession/consumption	120	118	167	163
Intoxication	20	18	32	37
Assault	-	3	3	1
Conduct	12	28	26	15
Corporate Responsibility	2	0	0	0
Damage	11	17	10	5
Drugs				
Paraphernalia	22	12	6	14
Use	14	30	56	15
E-mail/Computers	1	0	0	0
Endangering Behavior	2	9	5	4
Failure to Comply	8	2	17	4
Fire Regulations	36	28	12	49
Firearms/Weapons	0	4	0	0
Good Samaritan Policy	27	33	26	14
Hazing	1	0	1	0
Honesty	3	5	11	2
Motor Vehicles	0	0	1	-
Non-College Guests	0	4	0	1
Residential Life Policy	21	5	11	4
Senior Week Policy	0	0	2	0
Sexual Misconduct	13*	0	1	0
Social Events				
Noise	14	0	1	1
Serving Alcohol to Minors	0	2	28	6
Unregistered gathering	0	3	5	9
Unregistered keg	0	0	6	0
Theft	0	8	3	0
<b>Total violations</b>	<b>312</b>	<b>335</b>	<b>430</b>	<b>345</b>

#### Recidivists (M= Male, F = Female)

	2008-09	2007-08	2006-07	2005-06
	50	27	50	21
	(46 M, 4 F)	(21 M, 6 F)	(45 M, 5 F)	(17 M, 4 F)

**II. PENALTIES**

	2008-09	2007-08	2006-07	2005-06
<b>A. Individual Students</b>				
Placed on Warning	0	14	226	146
Placed on Disciplinary Probation	16	31	46	72
Suspended (1-7 days)	0	0	0	0
Suspended (semester or year)	3	2	4	1
Deferred Suspension	1	1	3	-
Dismissed from the College	1	2	0	1
Conditions:				
Referral to alcohol/drug counselor	17	55	93	66
Fine	16	21	9	28
Choices and Consequences program	75	68	127	-
Loss of Housing Lottery Point	0	0	0	2
Miscellaneous	0	88	105	22
Educational Conversation	3	0	4	-
<b>B. Student Organizations and Residential Groups</b>				
Placed on Warning	1	-	8	5
Placed on Disciplinary Probation	0	2	1	2
Revoked Corporate Social Privileges	0	3	1	3
Revoked Corporate Housing Privileges	0	0	0	1
Community Service	0	3	0	1
Payment for Damages	1	0	0	1
Suspended from the College	0	0	0	0

**III. SUMMARY OF CASES HEARD**

	2008-09	2007-08	2006-07	2005-06
By Judicial Board	2	4	2	4
By Greek Council Judiciary	1	0	0	0

**IV. SUMMARY OF CASES ADMINISTERED**

	2008-09	2007-08	2006-07	2005-06
By associate dean of students	2	4	25	25
By assistant dean of students for housing and residential life	0	0	21	41
By dean for academic advising	0	0	0	1
By associate dean of students/director of multicultural affairs	15	7	24	55
By assistant directors for housing and residential life (first-year areas)	125	-	-	42
By assistant directors for housing and residential life (upperclass areas)	54	-	11	44
By director of orientation and new student programs	23	5	30	48
By Office of Housing and Residential Life (fire and damage charges)	125	43	43	43
By judicial affairs coordinator	245	160	246	-
By director of student activities	12	2	16	6
<b>Total number of cases</b>	<b>476</b>	<b>263</b>	<b>348</b>	<b>304</b>
<b>Total number of cases pending</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>4</b>

## The Judicial System

The Judicial Board is designed to address alleged infractions of the College's non-academic regulations that have been referred to it through the Student Affairs Center. It was created to ensure the protection of student rights and through due process to determine the facts and, if appropriate, to respond to violation(s) of College policy in a manner that is educational in character. (For information about the procedures for the Academic Infractions Board, please consult the *Course of Study*.)

The limitations of the College's judicial system should be recognized. Therefore, when an individual believes a crime has been committed, the College recommends that charges be filed in the criminal justice system, as well as with the College. Members of the dean of students' staff and the director of campus safety can assist students in making contact with the appropriate state and federal criminal justice agencies and provide support throughout the process. Students should be aware that some College staff members may be bound by law to report certain offenses to the criminal justice authorities.

Within the College's judicial system, the following shall be the case:

- Any member of the campus community may file charges against any student for alleged misconduct by contacting the chair of the Judicial Board or a member of the student affairs staff. Charges must be filed in writing within thirty (30) days following notification to the College administration of the alleged incident.

- Pursuant to the Family Education Rights and Privacy Act of 1974, all College judicial proceedings are confidential and, therefore, hearings are closed to anyone not directly involved in a case. Any account of the results of a judicial hearing must respect the privacy rights of those involved.

- Cases shall be decided upon a standard of preponderance of evidence.

- All individuals accused will be considered innocent until proven guilty, and it shall be the responsibility of the accuser to meet the burden of proof.

- Attorneys may not represent accused student(s) at a Judicial Board hearing.

- The College's jurisdiction regarding discipline includes conduct that occurs on College property or at a registered College event or that adversely affects the College community and/or the pursuit of its objectives. College disciplinary proceedings may be instituted against a student charged with violation of a federal, state, or local law that is also a violation of the student code, even though civil litigation in court or criminal arrest and prosecution are pending. Proceedings may be carried out prior to, simultaneous with, or following civil or criminal proceedings.

### Section 1. Membership of the Judicial Board

a. The Judicial Board shall consist of three (3) voting faculty members, three (3) voting student members, one (1) student alternate member who will only vote in the absence of one of the student members, and one (1) faculty chair who shall not vote except to break a tie. Student Council will appoint three (3) additional students to serve as alternates and will approve a rotating list of no more than three (3) Student Council members to serve as observer/recorder for the Board.

b. Each spring, the Student Council shall appoint two (2) student members to serve two-year terms. Each spring, the chair of the faculty shall coordinate the election of two (2) faculty members to serve two-year terms. Each spring, the president of the College shall designate one of the elected faculty members to serve as chair of the Judicial Board; the chair will vote only in the case of a tie. Faculty members who have served previously on the Judicial Board may be called when a sufficient number of voting faculty members are not available.

c. The judicial affairs coordinator or her designee shall serve as the administrative liaison to the Judicial Board and will assist the chair and the referring administrator, if appropriate, in preparing cases for the board. She will attend all hearings and will advise the board with respect to board procedures and precedent. If the judicial affairs coordinator is the referring administrator, the dean for academic advising or associate deans of students shall serve as the administrative liaison for that case.

d. A quorum shall consist of four (4) voting members, two (2) students and two (2) faculty.

e. The Judicial Board shall, at the beginning of each year, participate in a mandatory orientation program, coordinated by the associate dean of students and the chair, to receive and review information about the purposes and charges of the board as defined by the student and faculty handbooks, including responsibilities, policies, procedures, guidelines, and obligations for the board, as well as a review of prior cases heard by the board to provide for continuity and consistency. In addition to the members of the board, student affairs staff members who share responsibility for adjudication, the observer/recorder, and members of the Greek Judiciary shall participate in the program.

### **Section 2. Initial Procedures for Adjudication for the Judicial Board**

a. Initial jurisdiction for non-academic infractions shall reside with the student affairs staff members, who shall make preliminary inquiry into the nature and circumstances of the alleged violation(s). In cases when the staff member deems the student not responsible, or feels that the infraction(s) merit(s) nothing more than a warning, the staff member may adjudicate the case within a reasonable time, not to exceed thirty (30) days, while the College is in session. In cases in which the staff member deems the alleged infraction(s) to be more serious, the accused student(s) or group has the choice of a hearing by the Judicial Board or by the staff member. The staff member may still choose to refer the case to the Judicial Board because of serious alleged violations for which a hearing by the community, as represented by the board, might be more appropriate. The Judicial Board must hear all cases referred to it.

b. The choice for a student or group may be limited to an administrative hearing if the alleged violation occurs at a time when the Judicial Board cannot be convened.

c. In cases when the staff member is partial or has a conflict of interest, he or she will refer the case to another staff member or to the Judicial Board for adjudication.

d. The College reserves the right to require students to leave campus or groups to cease activity on campus prior to the formal consideration of alleged violation of policies whenever their activities are viewed as threatening or injurious to the well-being or property of members of the College community, or to its operation.

e. The referring administrator shall act as complainant on behalf of the College.

### **Section 3. Powers and Duties of the Judicial Board**

a. The Judicial Board shall hear those cases of alleged violation of the non-academic rules of the College by individuals or groups as described above. The Judicial Board shall make the determination of non-responsibility or responsibility, and if appropriate, a sanction, and it shall forward a letter outlining its findings to the student(s) or group with a copy to the referring administrator and to the administrative liaison.

b. The Judicial Board does not have the power to set aside established student rights or College regulations, or the procedure established by the Senate for the conducting of disciplinary proceedings. However, it may institute, as it deems necessary, rules for its own internal organization, one copy of which must be filed with the referring administrator and administrative liaison.

c. If a board member has any potential conflict of interest in a case, he or she is expected to disqualify himself or herself from that particular hearing.

d. All hearings shall be closed to the public. Those attending hearings will include the board members, the complainant, the accused and any advisor he or she elects to bring, and witness(es) for the case.

e. The Judicial Board shall issue to the community through campus media each semester a summary of violations and penalties (without names) to increase understanding of and respect for the rules of the College and the rights and responsibilities of the individual(s) or group(s).

f. There shall be, as a general guideline, serious efforts to establish and maintain clear

lines of communication between the Judicial Board and other interested College bodies.

#### **Section 4. Rights of the Complainant and Rights of the Accused in the Judicial Process**

When a student(s) or group appears in front of the Judicial Board, he or she is afforded certain due process or procedural rights by the judicial process.

##### *Rights of the Complainant*

a. The right to decide whether he or she wishes to press charges.

b. The right to review all written documents prior to the hearing.

c. The right to present evidence and witnesses. The names of witnesses must be given to the chair within twenty-four (24) hours of the hearing. The number of witnesses called may be determined by the chair to limit unnecessary repetition during a hearing.

d. The right to question all evidence, as well as witnesses and the accused.

e. The right to have a member of the administration, faculty, or student body who is not party to the case or the board assist in the preparation of the case and to be present at the hearing. The role of the advisor is to ask clarifying questions and to advise the student, not to present the case. It is the student's obligation to present his or her own case. The complainant is responsible for notifying the chair of this at least twenty-four (24) hours in advance of the hearing.

f. In sexual misconduct cases, the right to be notified of the final result of the judicial hearing and the result of any appeal. Such information shall be limited to name of the accused student, the violation committed, and any sanction/penalty imposed by the College on the student.

g. In sexual misconduct cases, the right of the complainant not to have her or his sexual history discussed during the hearing, except as it involves the accused student's past sexual activity with the complainant.

##### *Rights of the Accused*

a. The right to an unbiased hearing and one based on evidence presented at the hearing.

b. The right to remain silent; silence is not construed as evidence of guilt.

c. The right to receive written notification of the charges brought against them (three [3] day notice for Judicial Board hearings).

d. The right to review all written documents prior to the hearing.

e. The right to a hearing conducted without unreasonable delay following the notification of charges.

f. The right to present evidence and witnesses in his or her defense. The names of witnesses must be given to the chair at least twenty-four (24) hours in advance of the hearing. The number of witnesses called may be determined by the chair to limit unnecessary repetition during the hearing.

g. The right to question all evidence, as well as witnesses and the complainant.

h. The right to protection against self-incrimination.

i. The right to have a member of the administration, faculty, or student body who is not party to the case or the board assist in the preparation of the defense and to be present at the hearing. The role of the advisor is to ask clarifying questions and to advise the student, not to present the defense. It is the student's obligation to present his or her own defense. The accused is responsible for notifying the chair of this at least twenty-four (24) hours in advance of the hearing.

j. The right to written notification of a decision in a case in a timely manner.

k. The right to appeal the decision of the Judicial Board or administrative hearing officer to the dean of students. The appeal must be based on one or more of the following criteria:

- fairness of the original proceeding;
- decisions based on evidence;
- appropriateness of sanction; and/or
- new evidence unavailable to original proceeding.

It should be noted that the burden of proof in an appeal shifts to the accused student or group, and that an appeal is not a rehearing of the case. The letter of appeal must be filed with the dean of students within three (3) days of written notification to the accused of

the outcome of the Judicial Board or administrative hearing. The dean of students will normally make a decision regarding the appeal within fifteen (15) days of receipt of the appeal. In the presence of unusual circumstances, only the president of the College may grant additional time to the dean of students for consideration of the appeal. Normally an appeal will be heard unless it is obvious that none of the criteria listed for an appeal is present. In hearing an appeal, the dean of students may deny the appeal and maintain the decision of the Judicial Board or administrative hearing officer, grant the appeal and modify the sanction or penalty, or refer the case back to the Judicial Board or administrative hearing officer for further deliberation. The decision of the dean of students regarding the case shall be final and not subject to further appeal.

- If a student is found responsible for sexual assault through the College's judicial process, the College will disclose to the public the final results of the disciplinary proceeding after any internal avenue of appeal has been exhausted. Such information shall be limited to the name of the responsible student, the violation committed, and any sanction/penalty imposed by the College. This information will be released unless the victim is opposed to the release of the information. In case of this opposition, all information except the name of the responsible student will be released to the public. The College will not disclose the name of any other student, including a victim or witness, without the prior written consent of that other student.

## Section 5. Judicial Board Procedures

### a. Prior to hearing

- i. The student affairs staff member reports an alleged violation in writing to the chair of the Judicial Board. The decision to refer a case to the board may be made by the staff member or by the accused student(s) or group. The referring staff member will initiate an investigation of the case and will inform the student(s) of the rights of the accused. During the investigation, the accused shall have the opportunity to inform the staff member of any additional information they would like to have known.

- ii. The chair sends a letter to the accused, with a copy to the complainant and the administrative liaison, stating the charges, providing a copy of the available written evidence, stating the date, time, and place of the hearing, and directing the student(s) to the "Rights of the Accused." This letter will be hand-delivered to the accused student at least three (3) days prior to the hearing. If at all possible, the hearing should be held within fourteen (14) days of the date of the original referral from the student affairs staff member.

- iii. Upon completion of the investigation, the Chair and the referring administrator decide on the precise violation(s) with which the accused is to be charged. The charge(s) may differ from the original charge(s) made by the student affairs staff member.

- iv. The chair informs the accused, board members, the observer/recorder, the referring staff member, and the administrative liaison of the date, time, and place of the hearing and provides each with a copy of the available written evidence at least three (3) days prior to the hearing. Any witnesses are also informed about the hearing date, time, and place, but they do not receive the written evidence.

- v. The accused student is not required to attend the hearing, but it will occur as scheduled, and he or she will forfeit his or her right to question evidence, witnesses, and the complainant if he or she chooses not to attend.

- vi. Students who harass, intimidate, or attempt to influence the testimony of any parties in the judicial process, or the members of the Judicial Board, will be subject to disciplinary action.

### b. During the hearing

- i. The student observer shall act as recorder for the hearing.

- ii. All persons present are introduced and their roles are explained, particularly those of the witness(es) and observer. The chair explains the purpose of the hearing and describes the order of events in the hearing.

- iii. The chair shall remind the accused and any witnesses that complete candor and honesty are required in all hearings. Perjury and intentional evasiveness are themselves

grounds for disciplinary action. The chair also reminds all persons of confidentiality requirements. The chair shall clarify to all present that the hearing is an administrative hearing, not a legal proceeding.

iv. The witnesses are excused, and the chair reads the statement of charges and notes the specific infraction(s) alleged.

v. The chair reads the report and asks for questions. Questions are intended to clarify and ensure that everyone, board members and accused, understands the report's content.

vi. The accused student(s) or group(s) is (are) invited to respond to the violation(s) and to the investigative report. The response may be: (a) agreement with the charges and/or the report; (b) disagreement with the charges and/or the report; or (c) something else?explanation, elaboration, or rebuttal. The response need not be a "responsible" or "not responsible" plea, though it may be. The accused may question the complainant, and the board and the complainant may question the accused. The observer may ask clarifying questions.

vii. The board hears witnesses called by the complainant and by the accused, one at a time. The precise order of witnesses will be determined by the chair in consultation with the referring administrator and the accused. Insofar as possible, the order of witnesses will be determined prior to the hearing; in any case, if circumstances require it, the order may be altered by the chair as he or she deems necessary and appropriate in the course of the hearing. The board, the complainant, and the accused may question the witnesses. The observer may ask clarifying questions.

viii. The accused and the complainant have the right to testify orally, in writing, or both.

ix. When the board, the complainant, and the accused agree that there is no more relevant evidence or testimony to be considered, concluding questions and/or statements are invited.

x. All non-members of the board are dismissed.

xi. The board considers the evidence and testimony from the hearing and determines responsibility or non-responsibility of the

charge(s) by majority vote. The chair votes only in the case of a tie. If the board's finding is "responsible," then the past disciplinary record of the accused, provided by the referring administrator, is read prior to determining the board's decision regarding a penalty. The board also decides whether broader communication of the case is needed, and if so, the form and content of the communication.

xii. The accused and any observers are recalled and informed of the verdict and, if applicable, the penalty. The accused is (are) informed of the right and timing of appeal of the board's finding to the dean of students.

xiii. The chair transmits to the accused a written report of the board's findings, with a copy to the referring administrator and to the administrative liaison.

xiv. If the board becomes aware of other charges during the hearing, these will be followed up on by the referring administrator following the hearing.

### c. Records and reports

i. The chair retains the recorder's account of each hearing which is audio-taped. The tape is the property of the College, and it is only used by the person hearing an appeal.

ii. The chair retains a record of each infraction and action recommended. The name(s) of the accused is (are) removed from this record.

iii. Within the first month of each semester, the chair prepares a summary, not including names, of disciplinary actions taken the preceding semester to give to campus media.

iv. At the end of each year, the chair forwards the records to the administrative liaison in student affairs. This information will be shared with subsequent chairs for purposes of continuity and consistency.

*See also: "Procedures for Handling Alleged Academic Infractions" in the Course of Study.*





Kenyon College