

THE RENSSELAER HANDBOOK OF STUDENT RIGHTS AND RESPONSIBILITIES

2008-2010

STUDENT RIGHTS AND RESPONSIBILITIES

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Rensselaer admits qualified students without regard to race, color, gender, sexual orientation, age, creed, religion, national or ethnic origin, marital status, veteran status, or disability.

Rules and regulations, as described in the current *The Rensselaer Handbook of Student Rights and Responsibilities*, are further conditions of occupancy for all residents in campus housing. In addition, the current room and board agreements and apartment agreements list contractual understandings and obligations between Rensselaer and students in residence. It is each student's obligation to be familiar with these policies.

Notice regarding changes: Rensselaer reserves the right to change the tuition and fees, room and board costs, rules governing admission, occupancy of residence facilities, granting degrees, or any other regulation or policy affecting its students, including this handbook. Such changes take effect whenever Rensselaer authorities deem necessary whether or not there is actual notice to individual students. Rensselaer also reserves the right to exclude at any time students whose academic record is unsatisfactory or whose conduct is found to be detrimental to the orderly functioning of the Institute.

All information in this publication pertains to the academic years noted, to the extent that information was available at press time.

The Rensselaer Handbook of Student Rights and Responsibilities is an official publication of Rensselaer Polytechnic Institute. Inquiries should be forwarded to the Dean of Students Office.

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STUDENT BILL OF RIGHTS

**STATEMENT OF ADOPTION
BY THE TRUSTEES**

The Rensselaer Polytechnic Institute Student Bill of Rights has been considered by the Trustees.

In order to safeguard the rights of all members of the Institute community, certain specific rules and regulations are necessary. Recognition of the Student Bill of Rights as herein expressed is not intended to limit or restrict the ultimate responsibility and authority of the Board of Trustees to promulgate and enforce rules and regulations reasonably consistent with the general principles set forth in the Student Bill of Rights, which the Board of Trustees deems necessary and appropriate to the Rensselaer community.

By its very nature, the Student Bill of Rights cannot be successful without corresponding student responsibilities and obligations which, although they have not been spelled out in the document, must of necessity be considered a part of it and without which it cannot succeed.

In adopting the document in principle, the Trustees wish to make clear to all concerned that their primary obligation, duty and concern is in the best interest of Rensselaer Polytechnic Institute as an educational institution and that this document, like all other policy statements and decisions concerning the Institute, is subject to the continuing paramount control of the Board of Trustees.

Under no circumstances shall student fees or other Institute funds be used to promote, prosecute, initiate, or defend an adversary proceeding against the Institute without written consent of the Institute.

ARTICLE I: NAME AND PURPOSE

Section A: The name of this document is the Rensselaer Student Bill of Rights.

Section B: The student is a citizen of the nation at large, and the Institute shall not impede or obstruct students in the exercise of their fundamental rights as citizens. It is the purpose of this document to set forth ways in which these rights, some of which may be limited by resources, are applied to student members of the Rensselaer community.

**ARTICLE II: FREEDOM OF ACCESS TO
HIGHER EDUCATION AT RENSSELAER**

Section A: The Institute shall state, in a specific written document, the characteristics and expectations and responsibilities of students which it considers relevant to success in the institution's programs. The Institute shall be open to all students who are qualified according to its admission standards, barring no one on the basis of race, color, creed, national origin, age, religion, marital status, veteran status, disability, sex, or sexual orientation. Efforts shall be made to seek out and admit students of diverse socioeconomic backgrounds whose potential could be reached through a Rensselaer education. Prospective students may, before entering the Institute, request Institute regulations, contractual rights, obligations and responsibilities.

Section B: The facilities and services which are normally available to students under the rules and regulations of the Institute shall be open to all of its students without regard to race, color, creed, national origin, age, religion, marital status, veteran status, disability, sex, or sexual orientation. Age or year in school shall not be used arbitrarily as a basis for discrimination, but there may be valid reasons for differential access based on educational goals or allocation of resources. The Institute shall endeavor to secure equal access for all students to public facilities in the local community.

Section C: Every prospective student shall have the right to a written explanation of the basis of eligibility for financial aid, and the requirements for continuation. In addition, recipients of such aid shall be provided an explanation of the reasons for change in financial aid that may occur in subsequent years.

ARTICLE III: STUDENT-TEACHER RELATIONSHIP

Section A: The professor in the classroom and in conference shall encourage free discussion, inquiry, and expression. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion.

Section B: Students shall have the right to learn from and be informed by the instructor about the procedures and standards by which they are to be graded. Student performance in course work shall be evaluated on an academic basis, not on opinions or conduct in matters unrelated to academic standards. Students shall have protection through orderly procedures against prejudiced or capricious evaluation.

Section C: Information about student activities, views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisors, and counselors shall be considered confidential. Persons who provide confidential statements or written judgments of ability and character in connection with an application in which the student gives express permission for the release of such information are responsible to the recipient and to the subject equally to be honest and fair in their judgment.

ARTICLE IV: CONFIDENTIALITY OF STUDENT RECORDS

The Institute shall publish an explicit policy statement as to the information which is a part of a student's permanent official educational record and the conditions of its disclosure. To

minimize the risk of improper disclosure, academic, financial, disciplinary, and medical records shall be separate, and the conditions of access to each shall be published in an explicit policy statement. Transcripts of academic records shall contain only information about academic status, and the student and his or her adviser shall have the right to see these records at any time. Information from student records shall be available only to authorized persons as determined by the Institute or legal regulations. Other persons, both on campus and off, shall have access to such records only with the express permission of the student. No educational records shall be kept which reflect as such the political activities or beliefs of students. Provisions shall also be made for periodic destruction of inactive non-academic and non-financial records. The student shall have the right to view and contest the contents of his or her official Institute records, except those relating to his or her admissions application and all records of the psychological counseling and medical services, regardless of where such records may be physically located.

ARTICLE V: FREEDOM IN STUDENT LIFE

Section A: (1) Students shall be free to organize and join lawful associations to promote their common interests. The policies and actions of a student organization will be determined by the membership within the limits established by the Rensselaer Union (Institute student body) and other appropriate bodies within the Institute. Affiliation with an extramural organization shall not of itself disqualify a student organization from recognition by the Rensselaer Union. In order to receive Rensselaer Union recognition, student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedure, and a current list of officers. All Rensselaer Union organizations, including those affiliated with an extra-mural organization, shall be open to all eligible students without discrimination. Recognition shall not imply approval or disapproval of an organization's aims,

objectives, or policies. (2) The denial of access to facilities or reduction of funds shall not be used by the Institute or the Rensselaer Union as a means of censorship or suppression of any lawful activity.

Rensselaer Union building facilities shall be available for the use of all members of the Institute community.

Section B: (1) Students and student groups shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. They shall be free to support causes by orderly means, including peaceful assembly, which do not disrupt the normal operation of the Institute. Unless otherwise authorized, students and student groups speak only for themselves in their public expressions or demonstrations. (2) Students and student groups shall be allowed to invite and to hear any person of their own choosing. Such students and groups shall have an affirmative obligation to comply with Institute procedures which are designed to ensure that for such an event there is adequate preparation and security, and that such an event is conducted in a manner appropriate to an academic community. The sponsors of any event shall make clear to the academic and at-large communities that such sponsorship does not necessarily imply approval or endorsements of the views expressed, either by the sponsoring group or by the Institute.

Section C: In the delegation of editorial responsibility to individual students, the Rensselaer Union shall provide sufficient editorial freedom for the student publications and other media to maintain their integrity of purpose as vehicles for responsible free expression in an academic community. To this end, the Rensselaer Union shall provide written clarification of the role of student media, the standards to be used in their evaluation, and the limitations on control of their operation. Editors and managers of student media shall be free from arbitrary suspension or removal

because of student, faculty, administrative, or public disapproval of editorial policy or content. Only for proper and stated causes shall editors and managers be subject to removal and then only by orderly and prescribed procedures as established by the Rensselaer Union. All Rensselaer Union published and financed student media shall explicitly state on the editorial or in other appropriate fashion that the opinions expressed there are not necessarily those of the Institute or student body.

Section D: Students shall be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body shall have a means of providing input on institutional policy affecting academic and student affairs. The role of student government and both its general and specific responsibilities shall be made explicit, and the actions of the student government within the areas of its jurisdiction shall be reviewed through orderly prescribed procedures.

ARTICLE VI: OFF-CAMPUS FREEDOM OF STUDENTS

Section A: The Institute's students are both citizens of the nation at large and members of the academic community. As citizens, off-campus, students shall enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy.

Section B: When the activities of students result in apparent violation of the law, staff from the Division of Student Life, the Rensselaer Union, Public Safety, and other appropriate administrative offices, shall be available to apprise the students of sources of legal counsel and other sources of assistance. Students who violate the law may incur penalties prescribed by civil authorities, but Institute authority shall not attempt to duplicate the function of public authority. No student's status at Rensselaer shall be altered on the basis of pending legal action or conviction for any crime, except when the

presence of such student could constitute a danger to the safety of person or property on the premises of the Institute. If a student incidentally violates Institute regulations in the course of his or her off-campus activity, such as those relating to class attendance; he or she shall be subjected to no greater penalty within the Institute than would normally be imposed. Institutional action shall be independent of community pressure.

ARTICLE VII: PROCEDURAL STANDARDS IN DISCIPLINARY PROCEEDINGS

Section A: The administration of discipline shall provide procedural fairness to an accused student. Thus, each Institute regulation shall be as clear and specific as possible.

The Institute shall initiate disciplinary action for conduct including that which could be a threat to the personal safety of members of the academic community, conduct that endangers property, and/or conduct that is disruptive to the educational and administrative processes of the Institute. Disciplinary procedures shall take into account the case circumstances in particular, and each accused student shall be entitled to an individual inquiry/hearing if requested. The jurisdiction of campus judicial bodies, the disciplinary responsibilities of institutional officials, and the disciplinary procedures, including the student's right to appeal a decision, shall be clearly formulated and available in advance. Penalties shall be imposed or assessed under prescribed procedures.

Section B: The student shall be informed of the nature of the charges against him or her and shall be given a fair opportunity to refute them. Neither the Institute nor any of its judicial bodies shall be arbitrary in its actions and there shall be provisions for the appeal of the initial decision. Except in extraordinary circumstances, standards of conduct will be formulated with student input and published in advance through such means as a student handbook or a generally available body of institutional rules.

Section C: Premises occupied by, and personal property of, students shall not be searched (as distinguished from ordinary maintenance activities) or seized without an externally issued search warrant or its internally issued equivalent based on comparable standards, or without the student's knowledge and approval of the search, except in cases where Institute officials have a reasonable basis for believing that safety is involved. For premises not controlled by the Institute, the ordinary requirements for lawful search shall be followed.

Section D: Students detected or charged in the course of serious violation of institutional regulations or infractions of ordinary law shall be informed of their rights. No form of harassment shall be used by Institute representatives to coerce admissions of guilt or information about conduct or about other suspected persons.

Section E: Upon verbal or written notification of charges, a student may be placed on an emergency suspension pending the hearing and determination thereof, when the continued presence of such student could constitute a danger to the safety of person or property on the premises of the Institute. In the event of such a suspension, the student, upon written request, shall have the right to a hearing before the appropriate Institute judiciary within five Institute business days after said request.

STUDENT RIGHTS IN THE CLASSROOM

Students have the right to be informed about the content and educational intent of a course, and about the procedures and standards by which they are to be evaluated. Accordingly, at the beginning of each course, students should be provided with:

1. A syllabus of the course including content and objectives as appropriate.
2. The policies which govern various factors used in the evaluation process along with a description of the method by which the final grade will be determined. Factors to

consider include homework, examinations, projects, papers, laboratory work, and attendance. Should changes in the content, procedures, or standards become necessary, the reasons for these changes should be explained to the class.

3. A statement of definition of academic dishonesty where such may be open to question. Particular attention should be paid to collaboration on out-of-class assignments. The official policy, with regard to academic dishonesty, can be found in this handbook.

STUDENT CONDUCT FOR INDIVIDUALS AND GROUPS

When people gather together in communities their rights as individuals may not be exercised in the same fashion as they might otherwise. Individuals' rights impinge upon each other and laws are established in the larger society to govern in such cases. At Rensselaer Polytechnic Institute, these regulations are set forth so that individuals will be aware of their responsibilities and be able to exercise their rights individually and collectively as stated in the Student Bill of Rights. Out of concern for individuality and respect for student privacy, Rensselaer does not seek to impose a common morality on all students. At the same time, the Institute has the responsibility to establish certain standards of conduct within the campus community.

In general, Institute regulations are concerned with conduct on the campus, but students must recognize that whether on campus or off campus, they are subject to local, state, and federal laws. Their responsibilities as citizens require that they conform to these laws, realizing that Rensselaer will not make any effort to protect students who violate their citizenship obligations from the consequences. At the same time, the Institute is concerned with the student's rights as a citizen with equal protection under the law.

Any invasion of individual rights of privacy or activity that causes suffering or extreme physical exhaustion, or grave personal offense,

or that interferes with scholastic work, or that constitutes any danger to person or property is strictly forbidden.

Off-campus misconduct will not typically be the basis for disciplinary action by the Institute. However, when such conduct may constitute a threat to person or property within the Rensselaer community or under other circumstances, it may result in disciplinary review and/or action. Rensselaer assumes the responsibility to regulate the private conduct of its students when such conduct could constitute a hazard to or an infringement on the rights of others, a violation of the law, or a disruption of the legitimate academic and administrative processes of the Institute.

Student organizations sanctioned or recognized by the Institute are subject to the same regulations as individual students. Institute recognition means that such groups accept corporate responsibility to protect members of the Rensselaer community and their guests from any violation of their rights in group activities and in activities of individual members.

Such organizations are generally required to designate officers, but such action in no way diminishes the group's corporate responsibility. Failure of the officers, when acting in their official capacity, to protect the rights of members of the community and to uphold policy shall be considered behavior also subject to individual disciplinary action.

Rensselaer accepts its responsibility to protect the members of the community against any infringement of their rights by exercising its discretion to subject to disciplinary action any student who violates the rights of others. Authority for the administration of student disciplinary and judicial processes at Rensselaer is vested exclusively in the Dean of Students Office, by delegation from the President.

These policies are based first on the recognition that institutional existence is a privilege granted by public trust, subject to the

sanctions and responsibilities defined by the society of which the Institute is a part. Second, society generally provides legal canons, ethical mores, and conduct expectancies pertaining to individual and group behavior, and this is a fact to which the Institute cannot be indifferent.

GROUNDINGS FOR DISCIPLINARY ACTION

A violation of the Grounds for Disciplinary Action may be construed to include: (a) active violation; (b) attempt to violate; and (c) solicitation of or aiding another in the commission of a violation. Disciplinary action may be instituted in any case in which an individual or group of students is found in violation of any of the following regulations:

1. Conduct which could be construed to be a violation of any federal, state, or local law.
2. Conduct which disrupts or interferes with the personal or group rights of other members of the Institute community or with any activities of the Institute including, but not limited to, access to facilities and performance of normal duties.
3. Conduct which violates personal, group, or Institute rights to be secure against unlawful intrusion or seizure including, but not limited to: (a) theft or possession of stolen property; (b) possession or use of unauthorized Institute keys or access devices; (c) unauthorized entry; and (d) refusal to leave or to release any property when ordered to do so by any person having jurisdiction over it.
4. Damage to property including, but not limited to vandalism.
5. Academic dishonesty, as defined in this document.
6. Fraud, including, but not limited to, forgery, misuse, and/or alteration of Institute records, documents, or identification.
7. Use, possession, or distribution of controlled substances (illegal drugs, as defined by state and federal law) and precursors of controlled substances or drug paraphernalia, except as expressly permitted by state and federal law and Institute regulations.
8. Being in any place for the purpose of unlawful use, possession, or distribution of a controlled substance.
9. Disorderly, lewd, harassing, or indecent conduct.

10. Assault and/or sexual assault.
11. Hazing as defined in this document or by New York State statute.
12. Willful failure or refusal to testify as a witness after having been directed to appear at an Institute disciplinary proceeding, unless the testimony would tend to implicate said student in a violation of Institute regulations; or knowingly providing false testimony or evidence at an Institute disciplinary proceeding. An Institute disciplinary proceeding includes, but is not limited to, formal or informal action by the offices of the Dean of Students or the Dean of the Graduate School, hearings before the Judicial Board or Review Board, and procedures adopted by the Trustees in connection with the Rules for Maintenance of Public Order.
13. Conduct which endangers the safety of the Institute community, including, but not limited to, tampering with safety or fire-warning devices; setting a fire on Institute property; use of cooking equipment in unauthorized areas of the residence halls; reckless operation of a motor vehicle.
14. Use, possession or storage of dangerous weapons, chemicals, explosive devices or materials including, but not limited to, firearms, air guns, prohibited knives (such as switch knives, swords, daggers, gravity knives, throwing stars, and knives with blades more than three inches long), ammunition, slingshots, metallic knuckles, bows and arrows, firecrackers, and bombs.
15. Failure to comply with an Institute official in the performance of his or her duties, including but not limited to, failure to provide valid identification or knowingly furnishing false information.
16. Failure to honor financial obligations to the Institute or to any element thereof.
17. Conduct which violates Institute or student government regulations established for any specific area or department by those having jurisdiction over it including, but not limited to: Parking, Public Safety, Residence Life, Financial Aid, Health Services, the Folsom Library, Computing and Information Services, and the Rensselaer Union.

JURISDICTION WITHIN THE RENSSELAER STUDENT JUDICIAL SYSTEM

Jurisdiction is, by definition, the right, authority, and power to hear and adjudicate

the controversy that people seek to bring before a hearing officer or board.

The jurisdiction of the Rensselaer Judicial System includes on-campus events as well as certain off-campus events. Hearing officers and boards within the system shall have the authority to hear and decide any case which is "Institute-related."

To be "Institute-related" a case must involve: (I) a violation of the Grounds for Disciplinary Action (GDA) by a Rensselaer student or student group, with said violation occurring on campus; or (II) a violation of the GDA by a Rensselaer student or student group, with said violation occurring off-campus under one or more of the following conditions:

- (1) The victim is a student or Rensselaer-affiliated individual or group, including the Institute itself (the status of the victim need not have been known by the perpetrator in the commission of the offense).
- (2) The alleged violator has used his or her status as a student or Rensselaer group to facilitate the commission of the offense.
- (3) The violation is committed during a Rensselaer-sponsored or sanctioned event.

The Rensselaer Judicial System is comprised of the Dean of Students Office (including Residence Life hearing officers and Office of the First-Year Experience hearing officers), hearing/appeal boards, Student Judicial Advisers, and the President. The object is to settle issues as informally as possible but to ensure fairness to all parties. Disciplinary cases are heard first in the Dean of Students Office and civil cases (including student government disputes) are heard first by the Judicial Board. The standard of proof in Rensselaer's judicial system is a preponderance of the evidence.

COMPONENTS OF THE JUDICIAL SYSTEM DEAN OF STUDENTS OFFICE

The Dean of Students Office shall have initial jurisdiction in alleged violations of the Grounds for Disciplinary Action and of the *Statement of Relationship between Rensselaer Social*

Fraternities and Sororities. The Dean of Students Office will issue verdicts and assign penalties, either of which may be appealed to the appropriate board. All decisions of boards are recommended to the Dean of Students Office for implementation or, in civil cases, to communicate the outcome to the parties involved.

JUDICIAL INQUIRY

A judicial inquiry is initiated when the Dean of Students Office is made aware that a student or group may be involved in, or have been witness to, a violation of the Grounds for Disciplinary Action.

A student is required to be present at said inquiry when requested by the Dean of Students Office or designee. Failure to comply with this request may result in a hold being placed on a student's records, grades, transcripts, registration and degree, and the inquiry being conducted in the student's absence.

If a student is requested to be present at a judicial inquiry, he or she will be informed of the nature of the concern, of the option to consult a Student Judicial Adviser before speaking to the hearing officer, and will be reminded to review the judicial process. The student is responsible to answer fully and truthfully all questions. Failure to do so may be considered a violation of the Grounds for Disciplinary Action (knowingly providing false testimony or evidence). The student has the right to refuse to answer specific questions only if the student's responses would tend to incriminate him or her in a violation of the Grounds for Disciplinary Action. The student must, however, state his or her reasons for refusing to answer. The student may have a Student Judicial Adviser present at a judicial inquiry, only with expressed permission of the hearing officer.

The judicial inquiry may not necessarily result in disciplinary action but is part of the fact finding phase of the judicial process. The

student will be asked questions about the incident. Other persons may be present only rarely and at the hearing officer's sole discretion. The hearing officer may choose to adjourn the inquiry at any time in order to obtain further information from other sources. **Note:** A student may view judicial documents used as evidence against him/her if requested. However names other than that of the individual student should first be redacted to protect the confidentiality of any others named in the requested document(s). Students do not have access to internal communications, hearing officer notes, Dean's notes, or confidential memoranda.

Following this fact finding phase, the hearing officer decides whether disciplinary action is necessary and may then either adjourn the inquiry or make a judgment and assign a penalty at the conclusion of the Judicial Inquiry. If the student accepts the judgment and penalty, the case is considered resolved. A letter confirming the matter will be sent to the student and placed in the student's general file in the Dean of Students Office for a period of time which will be indicated in the letter.

In addition, at the sole discretion of the Dean of Students Office, a copy of the letter may be sent to the student's parent(s) or guardian(s). The decision of a hearing officer may be appealed to the appropriate hearing board by either party. The written appeal must be sent to the Board Chairperson via the Senior Judicial Administrator in the Dean of Students Office *within three (3) Institute business days* of receiving the hearing officer's decision.

APPEALS

The verdicts issued and penalties assigned within the Student Judicial System may be appealed to a board and ultimately to the President. A student may request an appeal to the appropriate judicial body through the hearing officer or Senior Judicial Administrator. This process will be discussed with the student. Appeal requests must be submitted in writing from the appellant specifically, within

the time limit designated; must include the specific reasons/rationale and supporting information for requesting an appeal; and can be only for the reasons/grounds stated subsequently. Upon receipt of the appeal request, the appropriate judicial body will proceed accordingly.

Once a student accepts a judicial decision, or if an appeal request is not submitted according to the above requirements and by the date and time designated, the decision stands as final and cannot be further appealed.

GROUND FOR APPEAL

Grounds for appeal include only: demonstrated procedural error; new evidence that could not have been discovered by the accused student prior to the time of the original decision which would be likely to change the results of the previous outcome; and/or sanctions that are not appropriate for the violations.

Note: A mandatory minimum sanction is not negotiable and cannot be reduced.

THE HEARING BOARDS

There are several hearing boards that will hear appeals of the decision of the Dean of Students Office or other Institute action. In certain instances these boards may hear a case without a judicial inquiry, these are:

- Civil cases between students or student groups including all student government disputes.
- Cases referred directly to a hearing board by the Dean of Students Office. However, such a referral would only be due to rare and/or extenuating circumstances.
- Cases not initiated in the Dean of Students Office, such as Faculty Academic Board cases and the academic grading portion of academic dishonesty cases.

The hearing boards will hear cases depending upon their nature and may issue verdicts and assign penalties. Both parties involved have the option to accept the decision of the hearing board or appeal to the Review Board. If both parties accept the board's decision, it stands as final.

Hearing boards are governed by their own bylaws. To request a hearing of one of these boards you must provide a written appeal, per the previous specifications, *within three (3) Institute business days* of notification of the original judicial decision.

JUDICIAL BOARD

The Judicial Board has jurisdiction in alleged violations of the Grounds for Disciplinary Action by students or groups, and in civil cases between students/groups. The Judicial Board is comprised of seven students.

GREEK JUDICIAL BOARD

The Greek Judicial Board can hear cases involving alleged violations of the Grounds for Disciplinary Action, *The Statement of Relationship between Rensselaer and Social Fraternities and Sororities*, and of the Interfraternity Council (IFC) or Panhellenic Council (PC) Constitution of by-laws by a recognized fraternity or sorority. If a case is referred to a hearing board, the person/group bringing the original charges has the option to have the case heard by either the Greek Judicial Board or jointly by the Judicial Board and the Greek Judicial Board. If the case is heard jointly by these Boards, the Judicial Board will determine the verdict and the Greek Board will determine the penalty. The Greek Judicial Board is comprised of nine students.

FACULTY ACADEMIC BOARD

The Faculty Academic Board shall hear the appeals of final course grades, but only after a student has been unsuccessful in resolving this dispute with his or her professor, the Department Chair, and the Dean of the School, and when the student alleges the wrongful assigning of a grade. This allegation must be based upon a violation of the course syllabus, a violation of Institute policy by the professor/instructor, or a violation of the student's rights under the Student Bill of Rights. The Faculty Academic Board is comprised of five faculty members.

THE JOINT BOARD

The Joint Board has civil jurisdiction over alleged violations of Institute rules, rights, or regulations by an academic unit, an administrative unit, or by Rensselaer itself when the complainant is a student or a student group. The Joint Board will not hear a matter unless genuine, demonstrable attempts to resolve it with the unit and its supervisor have been unsuccessful. The Joint Board's decision may then be appealed directly to the President by either party *within five (5) Institute business days* of receiving the Joint Board decision. The Joint Board consists of three Judicial Board members, three faculty members, and one administrator. The Judicial Board Chairperson also chairs the Joint Board.

REVIEW BOARD

The decision of a lower board may be appealed to the Review Board, by either party. The written appeal must be sent to the Review Board Chairperson via the Senior Judicial Administrator in the Dean of Students Office, *within five (5) Institute business days* of receiving the lower board's decision. The Review Board will then meet to discuss the merits of the appeal. Based solely upon the written evidence before it (including the letter of appeal) the Review Board will decide one of the following: to uphold the decision of the lower body; to modify the verdict or sanction(s) of the lower body; to refer the case back to the lower body with instructions for further action; or to conduct a hearing. If the Review Board decides to conduct a hearing, it will determine what information will be examined or further clarified. The Review Board is an appeals board and only reviews lower board decisions. The Review Board consists of two students, two faculty members, and one administrator.

THE PRESIDENT

The decisions of the Review Board and the Joint Board may be subject to final determination by the President of the Institute, at the written request of either party involved, *within five (5) Institute business days* of notification of the board's decision. Appeals

of Review Board decisions are made by either party via the Senior Judicial Administrator in the Dean of Students Office. Appeals of Joint Board decisions are made by either party directly to the President. The President is unconstrained in the procedure he or she chooses to employ in the context of such a review including making a determination based solely on the written evidence (including the letter of appeal).

DEVIATION FROM PROCEDURES

Deviation from the above listed procedures will not invalidate a decision or proceeding unless it causes significant prejudice to the accused student, which the student must bring to the attention of the applicable panel, committee, or board immediately upon belief that such prejudice occurred.

In determining whether a deviation caused significant prejudice, the applicable panel, committee, or board shall consider whether the course of the proceedings would have been substantially different had the deviation not occurred.

The applicable panel, committee, or board also shall determine whether the accused student gave adequate notice of the alleged procedural event.

STUDENT JUDICIAL ADVISERS

Student Judicial Advisers exist under the provisions of the judicial system which allow students to be advised with respect to Rensselaer judicial proceedings. Student Judicial Advisers advise students of the policies and procedures, as well as their rights and responsibilities within the judicial system. Advisers do not, however, investigate, prepare or present/argue judicial cases.

A student may *request* a Judicial Adviser at the time of the inquiry, or three days before the "final" inquiry. *See Amendment VI: Judicial Advisers of the Rensselaer Union Constitution.*

LEGAL COUNSEL

The presence of an attorney at a judicial inquiry or hearing is at the sole discretion of the hearing officer, and/or the Senior Judicial Administrator and board Chairperson. Requests for an attorney to be present to advise an accused student will be considered only in instances where the student has been arrested or has had a criminal complaint filed against him or her. If it is determined that a student will be permitted to have an attorney present, the student must notify the Senior Judicial Administrator, in writing, a minimum of 72 hours in advance of the hearing, indicating the name, business address and phone number of the attorney who will be in attendance.

The role of an attorney is limited in the judicial process. He or she is present only to advise the accused student and can confer with the student during the judicial proceeding. However, the attorney is not entitled to address the hearing officer or board and may not communicate specific questions, responses, or statements for the student. Moreover, all correspondence, regarding the judicial matter, including the filing of an appeal, must come directly from the student(s) involved. Institute officials involved in the judicial system may elect to discuss procedural matters with attorneys. However, as a general practice, communication and inquiries from attorneys will be referred directly to Institute Legal Counsel.

DISCIPLINARY ACTION TYPES OF ACTIONS

Disciplinary action includes, but is not limited to:

Disciplinary Warning

Issued to students to indicate that their behavior is in violation of Institute regulations and that repetition may bring more serious consequences.

Disciplinary Probation

A formal warning period which indicates to a student that further policy violations may result in more serious consequences including suspension or expulsion.

Removal from Residence Facilities

The student's room rental agreement is void and he or she is required to vacate Rensselaer residence facilities permanently or for a specified period of time.

Disciplinary Suspension

The student is separated from Rensselaer for a specific minimum period of time and is required to leave the Institute. Return to campus, by a student on disciplinary suspension, may occur only with prior notification and approval of the Dean of Students Office. The student may apply for readmission at the end of the specified suspension time. *Readmission is at the sole and absolute discretion of Rensselaer* and a student may be required to fulfill specific conditions prior to and following readmission.

Expulsion

The student is permanently separated from the Institute without opportunity for readmission at any time. The student is required to leave the Institute within the time determined and cannot be in or on Institute property without the prior notification and approval of the Dean of Students Office.

Fines

Separate from reimbursement or restitution, monetary fines may also be levied.

Alternative Action

Alternative action may be required as part of a penalty and includes, but is not limited to: educational programming and training, counseling, assessment, restriction or loss of privileges, restitution, apology, and community service. This service will be unpaid and benefit a charitable or non-profit organization including Rensselaer Polytechnic Institute.

Group Disciplinary Action

Institute-recognized, sponsored, or sanctioned student groups are subject to the same disciplinary action as individual students and may also have the following or other penalties applied: limitation of social and other organization privileges or programs; alternative action, removal, or limitation of funding; and suspension or expulsion. If membership within the group is an element in the violations of the Grounds for Disciplinary Action, the penalty may also include a limitation on membership.

Group Suspension

The suspension of a student organization denotes the revocation of Institute recognition for a designated period of time and includes, but is not limited to: the loss of Institute recognition and all privileges thereof, including exclusion from all Institute programs and services, student government, funding, advertising the organization and/or displaying the organization name or house letters; the inability to participate in or sponsor any activities as an organization, to participate in recruitment and pledging activities; or for organization members to hold positions related to their membership in the suspended organization (i.e. IFC or Panhellenic positions, applicable student government or judicial board positions). These conditions are in effect for the duration of the suspension.

Any organization, which violates its sanctions and/or conditions of suspension, is subject to the permanent loss of Institute recognition.

Group Expulsion

The expulsion of a student organization denotes the permanent revocation of Institute recognition and all privileges thereof, without the opportunity for reinstatement at any time. An organization that is expelled is permanently excluded from all Institute programs and services including, but not limited to: student government, funding, advertising the organization and/or displaying the organization name or house letters; the inability to participate in or sponsor any activities as an organization, to participate in recruitment and pledging activities; or for organization

members to hold positions related to their membership in the suspended organization (i.e., IFC or Panhellenic positions, applicable student government or judicial board positions).

INSTITUTE-RECOGNIZED STUDENT GROUPS AND ALCOHOL

As stated in the Institute Regulations on Alcohol section in this handbook, any Rensselaer recognized student organization found to have served alcohol to an underage individual at any event (on- or off-campus) will, at minimum, be subject to a mandatory two-semester suspension. In addition, all organization alcohol privileges are subject to revocation while a group is under investigation and for the duration of the disciplinary process.

At the end of the designated suspension period, an organization can be reinstated if all conditions have been met. Conditions for reinstatement include a probationary period for a minimum of one semester following a suspension, but are not limited to, educational programming/training, restrictions on alcohol, and hiring a Rensselaer approved adviser to live in residence.

RECORD OF DISCIPLINARY ACTION

Apart from the actual sanction, the length of time a disciplinary action will remain as part of a student's file will be determined by the element of the Judicial System hearing the matter. **Note:** Any disciplinary action can be disclosed to federal, state or local government entity, law enforcement, licensing or certification board, or corporate entity upon request of said agency if and only if: (a) by subpoena or (b) a student signs a confidentiality waiver for said agency or government entity.

Effective August 23, 2004 and thereafter, any student enrolled at Rensselaer who is suspended or expelled for violation of the grounds for disciplinary action as stated in the *Rensselaer Handbook of Student Rights and Responsibilities* will have such action noted on the student's official Rensselaer transcript and

include the effective date of the action. In either case, suspension or expulsion, the notation shall remain permanently on the student's transcript.

NOTIFICATION

Upon final disposition of a case, the Dean of Students Office has the option, but not the obligation, to submit an anonymous description of the disciplinary situation, with penalties assigned, to the Polytechnic for publication.

TEMPORARY ACTIONS

Records Hold

Pending resolution of a disciplinary matter, at the discretion of the Dean of Students Office, a student's records, grades, transcript, registration, or awarding of a degree may be withheld. This action may also occur if a period of probation or suspension is imposed or if a student fails to comply with the sanctions imposed.

Suspension of the Judicial Process

Rensselaer reserves the right to suspend the Institute judicial process during breaks, recesses, and the months between the spring and fall semesters, when boards are not in session. Additionally, depending on the circumstances, alleged policy violations that occur toward the end of each semester may not be heard until the following semester is in session.

ADDITIONAL POLICIES

ACADEMIC DISHONESTY

Intellectual integrity and credibility are the foundation of all academic work. Academic dishonesty is, by definition, considered a flagrant offense to the educational process. It is taken seriously by students, faculty, and Rensselaer and will be addressed in an effective manner.

If found in violation of academic dishonesty policy, students may be subject to two types of penalties: the instructor administers an academic (grade) penalty, and the student may be subject to the procedures and

penalties of the student judicial system outlined in this handbook.

Since academic dishonesty is a violation of the Grounds for Disciplinary Action, the student may be subject to any of the following sanctions: disciplinary warning; disciplinary probation; disciplinary suspension, expulsion and/or alternative actions as agreed on by the student and hearing officer. It should be noted that no student who allegedly commits academic dishonesty will be able to drop or change the grade option for the course in question.

The definitions and examples presented below are samples of types of academic dishonesty and are not to be construed as an exhaustive or exclusive list. The academic dishonesty policy applies to all students, undergraduate and graduate, and to scholarly pursuits and research. Additionally, *attempts* to commit academic dishonesty or to assist in the commission or attempt of such an act are also violations of this policy.

Academic Fraud

The alteration of documentation relating to the grading process. For example, changing exam solutions to negotiate for a higher grade or tampering with an instructor's grade book.

Collaboration

Deliberate facilitation of academic dishonesty in any form. For example, allowing another student to observe an exam paper or allowing another student to "recycle" one's old term paper or using one another's work in a paper or lab report without citing it as another's work.

Copying

Obtaining information pertaining to a graded exercise by deliberately observing the paper of another student. For example, noting which alternative a neighboring student has circled on a multiple-choice exam.

Cribbing

Use or attempted use of prohibited materials, information, or study aids in an academic exercise. For example, using an unauthorized formal sheet during an exam.

Fabrication

Unauthorized falsification or invention of any information in an academic exercise. For example, use of "bought" or "ready-made" term papers, or falsifying lab records or reports.

Plagiarism

Representing the work or words of another as one's own through the omission of acknowledgment or reference. For example, using sentences verbatim from a published source in a term paper without appropriate referencing, or presenting as one's own the detailed argument of a published source, or presenting as one's own electronically or digitally enhanced graphic representations from any form of media.

Sabotage

Destruction of another student's work. For example, destroying a model, lab experiment, computer program, or term paper developed by another student.

Substitution

Utilizing a proxy, or acting as a proxy, in any academic exercise. For example, taking an exam for another student or having a homework assignment done by someone else.

FACULTY PROCEDURES FOR RESPONDING TO ACADEMIC DISHONESTY (as stated in the *Rensselaer Faculty Handbook*)

"If there is reason to believe a student in a course may have been involved in academic dishonesty, then contact the student(s) and schedule a meeting to discuss the allegations. This meeting should occur *within ten (10) Institute business days* of having discovered the possible dishonesty.

When meeting with the student, review the circumstances and evidence related to the suspicion of academic dishonesty and allows him or her the opportunity to provide his or her perspective on the situation. Take notes during the meeting to document important information. After reviewing the situation, speaking to any witnesses, etc., make a determination as to the nature and extent of the violation, if any, by the accused student. If it is concluded that a student has violated the Institute academic dishonesty policy, it is the faculty member's responsibility to determine the academic (grade) penalty (i.e., failure of the course, significant reduction of the final grade, etc.) and to communicate this decision to the student in writing. This communication should occur *within five (5) Institute business days* of having met with the student. Included in this written notification should be information regarding the student's option to appeal the grade decision and of the procedure/time limit in which to do so.

This written decision is copied to the Senior Judicial Administrator in the Dean of Students Office, along with a brief summary of the case facts and a copy of any supporting documentation (i.e., exams/assignments involving cheating, crib sheets, witness statements, etc.). A copy of the incident of academic dishonesty will be kept on file in the Dean of Students Office as a record of the incident and a way to monitor repeat/multiple offenses.

In addition to the academic penalty, the faculty member can request that judicial action be taken against a student for violating Grounds for Disciplinary Action, specifically academic dishonesty. Such requests should be made in writing to the Senior Judicial Administrator or Dean of Students. The documentation will be reviewed, assigned to a hearing officer, and proceed in accordance with Institute protocol."

APPEAL PROCESS FOR ACADEMIC PENALTY FOR ACADEMIC DISHONESTY (as stated in the *Rensselaer Faculty Handbook*)

Decisions regarding grades are initially the responsibility and jurisdiction of the course professor, and the school in which the academic dishonesty occurred, as there is no one in a better position to make this determination. Any appeal of a grade or academic penalty for academic dishonesty falls under the same authority. Therefore, a student can submit a written appeal of an academic penalty to the Department Chair *within five (5) Institute business days* of being notified of the faculty member's decision. If the course professor is the Department Chair or Dean of the school or there are other circumstances that could create the perception of bias, steps must be taken to use other appropriate individuals for the appeal process.

The Department Chair (or designee) will then make a determination based on the facts/circumstances of the case and the appropriateness of the original sanction. This determination should be made and communicated to the student and the professor *within ten (10) Institute business days* of receiving the appeal. Included in this written notification should be information regarding the student's option to appeal the grade decision and of the procedure/time limit in which to do so.

If the student or professor believes he or she has grounds for appealing the decision of the Department Chair (e.g., new evidence), both parties have the option to submit a written appeal to the Dean of the School *within five (5) business days* of receiving the decision. The Dean will then render a decision based on the facts/circumstance of the case and the appropriateness of the sanction. This determination should be made and communicated to the student and the professor *within ten (10) Institute business days* of receiving the appeal.

The decision of the Dean of the School may be subject to **final** determination by the Provost, with good cause and at the written request of either party involved, *within five (5)*

Institute business days of notification of the Dean of the School's decision. The Provost is unconstrained in the procedure he or she chooses to employ in the context of such a review. The Provost is the final level of appeal and his/her decision stands as final for both the student(s) and professor involved. The Provost will render a decision based on the circumstances of the case and the appropriateness of the sanction. This determination should be made and communicated to the student and the professor *within ten (10) Institute business days* of receiving the appeal.

Students found in violation of the academic dishonesty policy are prohibited from dropping a course in order to avoid the academic penalty.

PREVENTION OF ACADEMIC DISHONESTY

For those courses or academic exercises in which either the instructor or student considers proper definition of academic dishonesty to be open to interpretation, the instructor is expected to outline his or her particular standards. An example for which such definition seems particularly necessary would be collaboration on out-of-class assignments.

Course supervisors are expected to provide adequate and conscientious proctoring for exams. Faculty and proctors may ask a student for identification during an exam or exercise, and take reasonable precautions to lessen probability of academic dishonesty occurring, such as requiring that all personal belongings, texts, etc., be placed away from desks in the exam room.

AFFIRMATIVE ACTION POLICY

It is the policy of Rensselaer Polytechnic Institute that all persons be provided equal opportunities regardless of race, color, sex, sexual orientation, age, religion, creed,

national origin, marital status, Vietnam-era Veteran status, disabled veteran status, or disability.

Rensselaer commits itself to affirmative action and will make a major effort to increase the number of minority members and women in the student body, faculty, and staff. While maintaining high standards of excellence, Rensselaer will continue to broaden its pool of available minority and women candidates for positions on the faculty, staff, and in the student body. The Institute will, furthermore, endeavor to graduate men and women with a commitment to affirmative action and to making equal opportunities a reality.

I. Basis for Filing a Complaint of Discrimination

Any adverse action or personnel action or other act of discrimination based on race, color, sex, sexual orientation, age (except to the extent permitted by law), creed, religion, national origin, marital status, Vietnam-era Veteran status, disabled veteran status, or disability, may be the basis for filing a complaint of discrimination.

II. Who May File a Complaint of Discrimination?

Any employee, applicant for employment, or student at Rensselaer Polytechnic Institute who believes that he or she has been discriminated against may file a complaint of discrimination. A group of eligible people may also file a complaint.

III. Use of Formal Administrative Channels

Employees are encouraged to utilize the formal chain of supervision whenever possible to seek relief or redress before filing a complaint of discrimination outlined in these procedures.

Students are encouraged to utilize the formal Institute chain of supervision (i.e., the Dean of Students Office, the instructor, department Chairperson, and/or appropriate academic Dean) to seek relief or redress before filing a

complaint of discrimination outlined in these procedures.

IV. Matters Covered Under These Procedures

Matters covered under these procedures include, but are not limited to: hiring, promoting, demoting, transferring, terminating, assignment of rate of compensation, training, assignment of Institute housing, housing referral, use of Institute facilities, admission, and allocation of financial aid.

V. Prohibition Against Retaliation

Retaliatory action against any individual or group for filing, participating in, or cooperating with an investigation or Complaint of Discrimination under these procedures is strictly prohibited.

VI. Confidentiality

All aspects of these procedures are strictly confidential, and all participants in a complaint must refrain from breaching the confidential nature of a complaint.

VII. Time Limit for Filing a Complaint of Discrimination

In order to pursue redress through Rensselaer's affirmative action procedures, an aggrieved employee or student should meet with the Affirmative Action Adviser to the President or designee as soon as possible after the alleged act of discrimination to discuss the complaint; in any case, no later than 60 days of the date by which the employee or student should reasonably have known of the action. In the case of students, the time limit shall be from the date of the incident up through 12 months following the date of graduation when the incident is between a student and a faculty member who is responsible for assessing the student's work for grading purposes in a classroom. This time limit will also apply to incidents involving a student and the student's adviser or others responsible for making an appraisal of any of the student's activities.

VIII. Where to File

An employee, student, or applicant who wishes to file a Complaint of Discrimination must first meet with the Affirmative Action Adviser to the President or designee.

ALCOHOL AND OTHER DRUGS

Rensselaer Polytechnic Institute honors its role as an educational institution by establishing policies and guidelines that regulate the consumption of alcohol on campus and by developing proactive alcohol and other drug awareness, educational, and behavior-change programs.

Rensselaer is committed to educational goals in this area. The Institute's aim is to develop an alcohol and other drug policy that is clear and consistent; to inform and educate individuals with regard to the policy, and the risk factors associated with alcohol use and abuse; to create an environment that promotes low risk use, safety, and individual accountability; and to maintain a healthy campus community where problems associated with alcohol and other drugs are minimal.

The overall philosophy of the Institute is that each individual member of the campus community is responsible for his/her own actions. When making decisions to consume beverage alcohol or to provide beverage alcohol to others, individuals must be mindful of the inherent consequences and risks involved. In addition, individuals are responsible for understanding and complying with applicable laws. The Institute will not be responsible for enforcing State and Local laws, nor will it shield individuals from the legal consequences of their actions should they choose to violate these laws.

Rensselaer's policies and regulations are designed to encourage consistent and reasonable standards in our academic community. It is expected that all members will contribute to maintaining a positive and healthy environment by adhering to this policy. The Institute Alcohol and Other Drug Policy contain sections on:

- I. The Law: New York State Statutes Regarding Alcohol Liability

- II. Institute regulations on alcohol (printed below)
- III. Procedures and guidelines for on-campus events at which beverage alcohol is served
- IV. Specific area policies for alcohol
- V. The Law: Statutes Regarding Other Drugs
- VI. Institute regulations on other drugs (printed below)
- VII. Policy Enforcement
- VIII. Violations/Sanctions
- IX. Institute alcohol and other drug review committee

In accordance with the Drug Free Schools and Communities Act (1989), **the complete Rensselaer Alcohol and Other Drug Policy is available at:**

<http://www.rpi.edu/dept/cct/apps/studenthealth/docs/AlcoholPolicy.pdf>

Extra copies are available at the Student Health Center, or by contacting readdk@rpi.edu.

INSTITUTE REGULATIONS ON ALCOHOL

(Section II, Rensselaer Alcohol and Other Drug Policy)

The unlawful manufacture, distribution, dispensing, possession, or use of alcohol is prohibited on Institute property or as part of any activity sanctioned or sponsored by the Institute. The administration at Rensselaer will not authorize events where drinking under the legal age, as determined by the State of New York will be knowingly permitted. Individuals and organizations who sponsor approved events involving beverage alcohol shall assume full responsibility and liability for the event and for the behavior of event participants and attendees.

In our continuing commitment to uphold the law and Institute policy, any Rensselaer recognized student organization found to have served alcohol to an underage individual at any event (on- or off-campus) will, at minimum, be subject to a mandatory two-semester suspension. In addition, all organization alcohol privileges are subject to revocation while a group is under investigation and for the duration of the disciplinary process.

- A.** Consumption of beverage alcohol on campus is permitted only by persons age 21 or older:
 - in the privacy of their rooms in residential facilities;
 - at campus events where an alcohol permit has been obtained;
 - in areas licensed for beer and wine service.
- B.** Possession or consumption of alcohol on campus by any person who is a student under age 21 is in violation of the New York State (NYS) law and the Grounds for Disciplinary Action (GDA) and a violation of *Human Resource Policy Guidelines* if the person is an employee.
- C.** Any person under age 21 who misrepresents his/her age in order to obtain alcohol has violated the GDA if that person is a student. If that person is an employee, policies of HR have been violated.
- D.** Any person who supplies or makes alcohol available to someone under age 21 has violated NYS statutes. If that person is a student, he/she has violated the GDA; if that person is an employee, he/she has violated HR policies.
- E.** In accordance with State law, no money may be charged for any event at which beverage alcohol is present unless a license or permit is obtained from the New York State Liquor Authority.
- F.** An alcohol permit must be obtained from the Alcohol Review Committee (c/o Student Health Services) for any event occurring on Institute grounds at which alcohol is served or present. Exceptions are:
 - licensed designated area of the Rensselaer Union;
 - buildings leased or rented to faculty, staff, or private non-student groups.

An event (on- or off-campus) is defined as any gathering for a specific purpose where there are **more than six (6)** people in attendance and alcohol is present.

- G.** Campus events that are open to all students, or where 20% or more of the attendees will be under age 21, may not be granted an alcohol permit.
- H.** The consumption of alcohol or possession of an open container of alcohol is prohibited in all public or common areas on campus including, but not limited to, corridors, stairwells, athletic facilities, elevators, lounges, class rooms, labs, or outside campus areas (i.e. Quad) unless an alcohol permit has been obtained for a designated area. At no time may alcohol be consumed in potentially hazardous environments.
- I.** Events shall not include any activity which encourages the abusive use of alcohol.
- J.** The serving or availability of alcohol at events being held in or about a predominately freshmen residential facility is prohibited.
- K.** The presence, possession, or use of large quantities of alcohol on campus including, but not limited to, kegs, beer balls, and any other bulk containers of alcohol, is prohibited on Institute grounds with the exception of areas holding a NYS license for beer and wine service.
- L.** Beverages containing grain alcohol are prohibited.
- M.** Alcohol will not be permitted at Rensselaer athletic events.
- N.** Displays of any alcohol related items or materials, including but not limited to alcoholic beverage containers (empty or full), banners or signs, visible to the public, are not allowed in any residential facility.
- O.** Off-campus events: It is expected that all Rensselaer faculty, administrators, and students will comply with governmental laws related to alcohol. Any Rensselaer

group that plans an off-campus event involving alcohol must adhere to the Rensselaer Alcohol and Other Drug Policy.

- P.** Human Resource policies for exempt and non-exempt staff are addressed in Section 800.4 (Alcohol Use and Possession) of the *Human Resource Policy Guidelines* (revised 7/03). The "Procedure" section states that, "violations of this policy can lead to disciplinary action, up to and including termination."

INSTITUTE REGULATIONS ON OTHER DRUGS (Section VI, Rensselaer Alcohol & Other Drug Policy)

The use, consumption, possession, sale, manufacture, or transfer of any illegal drug or controlled substance (as defined by State and Federal law) by any student or employee of the Institute for which the individual does not have a legal license or valid prescription, is strictly prohibited.

Rensselaer is an educational institution and not a law enforcement agency, and therefore does not apply sanctions of the law. However, Rensselaer will not disregard the law and will not shield individuals from the legal consequences of their actions should they violate the law. In addition, individuals who have violated the law are also subject to disciplinary action. Students will be disciplined according to the procedures in this document, faculty according to the *Handbook for Academic Staff*, and staff according to Section 800.5 (Drug Free Workplace) of the *Human Resource Policy Guidelines* (revised 7/03).

GOOD SAMARITAN POLICY
(Applicable to Alcohol and Drug related incidents)

Student health and safety are primary concerns of the Rensselaer community. It is imperative that someone call for medical assistance when an individual experiences alcohol intoxication, drug overdose, or serious injury after consuming alcohol or other drugs. In general, people may be reluctant to seek emergency or medical attention for fear of judicial consequences for themselves, the

person in need of assistance, and/or the organization hosting the event where the situation occurs.

Since these situations are potentially life threatening, Rensselaer seeks to reduce barriers to seeking assistance.

The Good Samaritan Policy is part of Rensselaer's approach to reducing harmful consequences caused by the consumption of alcohol and other drugs. The Good Samaritan Policy is the Institute's commitment to increase the likelihood that community members will call for assistance when faced with an alcohol or drug-related emergency.

An **individual** who receives emergency assistance and/or medical treatment due to alcohol or drug consumption and completes an alcohol and other drugs assessment, education activities and/or treatment as assigned through the Rensselaer Health Center will not be subject to judicial action (for violating Institute Alcohol & Other Drug Policy).

A **person who calls** for emergency assistance and/or medical treatment due to alcohol or drug consumption on behalf of another person will not be subject to judicial action (for violating Institute Alcohol & Other Drug Policy), but may be required to attend an alcohol and other drugs education program if deemed necessary by the Rensselaer Health Center.

A **representative of an organization** hosting an event is expected to promptly call for emergency assistance and/or medical attention due to consumption of alcohol or other drugs. This act of responsibility will mitigate the judicial consequences against the organization resulting from violations of the Grounds for Disciplinary Action at the time of the incident (for violating Institute Alcohol & Other Drug Policy). The organization's membership may be required to attend an alcohol and other drugs education program if deemed necessary by the Rensselaer Health Center. *However, failure to call for emergency assistance and/or medical treatment will be*

considered an "intolerable circumstance" affecting judicial sanctions against the organization if violations of Grounds for Disciplinary Action have occurred.

COMPUTER USE AT RENSSELAER POLICY ON ELECTRONIC CITIZENSHIP

The ethical principles that apply to everyday academic community life also apply to the use of information and computing resources. Every member of the Rensselaer community has basic rights and responsibilities. It is unethical for anyone to violate these rights or ignore these responsibilities.

Furthermore, everything that is technically possible is not necessarily ethical or legal. Anyone who uses Rensselaer's computer systems and networks is responsible for meeting the standards outlined in Rensselaer's policy.

To participate in community life, we expect for ourselves and extend to others the freedom to express ideas and a respect for privacy, for property, and for the environment in which we work. In community life, these expectations are reflected in the privileges and responsibilities afforded to each of its members.

The privilege of access to Rensselaer's computer systems and networks imposes certain responsibilities and obligations and is granted subject to Institute policies and local, state, and federal laws. (The phrase "Rensselaer's computer systems and networks" as it is used in this document refers to all Rensselaer-owned and operated computer equipment and software, the campus computer network, and all computers connected to the campus network.) Appropriate use should always be ethical, reflect academic honesty and community standards, show restraint in the consumption of shared resources, and are in compliance with Rensselaer's policies and state and federal law. It should demonstrate respect for intellectual property; ownership of data;

system security mechanisms; and individuals' rights to privacy and to freedom from intimidation, harassment, and unwarranted annoyance. Appropriate use of Rensselaer's computer systems and networks includes instruction; independent study; authorized research; independent research; communication; and official work of the offices, units, recognized student and campus organizations, and agencies of the Institute.

The complete text of Rensselaer's Policy on Electronic Citizenship, outlining the privileges, responsibilities, and obligations of those who participate in Rensselaer's electronic community, is available at:

<http://www.rpi.edu/web/comec/>

Students may also request extra copies from the Academic and Research Computing Help Desk or the Dean of Students Office.

The Policy on Electronic Citizenship is an Institute-wide policy intended to allow for the proper use of all Rensselaer's computer systems and networks, effective protection of individual users, equitable access, and proper management of those resources. It should be taken in the broadest possible sense and applies to Rensselaer network usage even in situations where it would not apply to the computer(s) in use (for example, student-owned computers attached to the campus network). The policy is intended to supplement, not replace, all existing laws, regulations, agreements, contracts, and Rensselaer policies that currently apply to these services.

The policy contains sections on:

- Authorized Users
- Individual Privileges
- Individual Responsibilities
- Rensselaer Privileges
- Rensselaer Responsibilities
- Procedures and Sanctions

As a condition of using computing and networking at Rensselaer, you must be familiar with this policy and observe it. Persons in violation of the policy are subject to the full range of sanctions, including, but not limited

to, the loss of computer or network access privileges, disciplinary action, dismissal from the Institute, and legal action. Some violations may constitute criminal offenses and be subject to local, state, and/or federal prosecution.

TECHNOLOGY AND INTELLECTUAL PROPERTY

All students, faculty, staff, and others participating in Rensselaer programs are subject to the provisions, obligations, and responsibilities set forth in the Intellectual Property Policy of Rensselaer Polytechnic Institute as it may be amended from time to time. This policy is binding on all members of the Rensselaer community, whether or not an individual has signed a separate intellectual property agreement with Rensselaer or any third party. This policy covers the ownership, distribution, and commercial development of intellectual property, whether or not such intellectual property is patentable, copyrightable, subject to trademark registration, or some other means of formal protection. Copies of this policy are available in all Deans' offices, as well as the offices of the Provost and Vice President for Research.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Rensselaer Polytechnic Institute complies with the Family Educational Rights and Privacy Act of 1974 (Section 438 of the General Education Provisions Act, Title IV of Public Law 90-247), as amended. This Act provides that students attending any post-secondary educational institution which receives federal funds are entitled to access to their education records kept by the institution in order to inspect and review those records. Students are entitled to petition the Institute for the amendment or correction of any information in their education records which they feel is inaccurate, misleading, or otherwise in violation of their privacy or other rights.

Guidelines are also provided for the conduct of informal and formal hearings at which a student may present evidence that the records

are inaccurate or misleading and seek to have them amended or corrected.

Rensselaer also intends to comply fully with provisions of the act which limit the disclosure of certain information contained in students' education records to the following circumstances:

- (a) with the student's prior written consent;
- (b) as an item of directory information* (as defined in the Institute's compliance policies) which the student has not refused to permit the Institute to disclose;

* **Directory Information:** The Institute intends to make certain "directory information" available for public use. This would be in connection with publicity of athletic events, honors, etc. The following constitutes directory information: the student's name, address, photographs, telephone number, e-mail, date and place of birth, , major field of study, academic load, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, class year in school, and most recent previous educational agency or institution attended. A student who does not wish any of this information to be released for a given semester should notify the Registrar in writing by the end of the second week of classes. Directory information is published in various forms during the year and Rensselaer can withhold information only in those cases where written requests are received in accordance with the above-mentioned guidelines. Students must fill out a request to prevent disclosure of directory information for each semester they wish to withhold such information.

- (c) under the provisions of the Act which allow a university to disclose information without the student's prior written consent (see the Institute's compliance policies).

Copies of Rensselaer Polytechnic Institute's complete *Statement of Policy and Procedures in Compliance with the Family Educational Rights and Privacy Act* may be obtained upon request from the Office of the Registrar.

Any student who believes, after seeking correction through the internal grievance procedures specified in Rensselaer's policy

statement that the Institute has failed to comply with the provisions of this Act, has the right to file a written complaint with the Family Educational Rights and Privacy Office, Department of Education, Hubert Humphrey Building, Washington, D.C. 20201.

FIRE ALARMS AND PROCEDURES

The Institute will conduct fire drills during the fall, spring, and summer terms. A fire alarm is an Institute order to vacate the building. Familiarize yourself with exits and evacuation procedures and follow the directions of staff and fire safety officers. Failure to do so and/or to evacuate is very serious and may result in judicial action.

Tampering with fire safety equipment, creating a fire safety hazard, and/or activating a false alarm are serious offenses and will be dealt with as such. Additionally, any student who activates a false fire alarm is subject to a \$200 fine, legal prosecution and disciplinary action (including expulsion) in any of the following circumstances:

- Knowingly reporting a false alarm
- Malicious intent to set off the alarm
- Avoidable accident
- Second occurrence of carelessness

When a fire alarm sounds in any Institute building, including Rensselaer-owned Greek Life structures, it must be assumed to be legitimate. Therefore, the following procedure will be observed:

Evacuate the building immediately and move away from the structure while awaiting the arrival of Public Safety and the Fire Department. No one is to re-enter a building or shut off the alarm system except Fire Department or Public Safety personnel.

HAZING

No individual or group may haze another at any time including initiation into or affiliation with any organization or on-going association or membership. Under the law of New York State, all organization constitutions and by-laws are automatically amended to prohibit

hazing activities as defined by the Penal Law of the State of New York.

Hazing is defined by Rensselaer as any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, degrade or intimidate the person as a condition of association with a group or organization, regardless of the person's consent or lack of consent.

Such activities and situations include, but are not limited to, paddling in any form; forced consumption of alcohol or other drugs; creation of excessive fatigue; required calisthenics; "kidnapping;" physical and psychological shock; publicly wearing apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; late night activities; work sessions which interfere with scholastic activities; activities which are not normally performed by the active membership; and any other activities which are not consistent with organization law, ritual, or policy; or the regulations and policies of the Institute.

Member recruitment, orientation, education and development programs must be constructive and strive to make individuals a part of the larger group by mutually understanding objectives and participating in programs.

EXOTIC DANCERS

Rensselaer recognized/affiliated student organizations are prohibited from having exotic dancers, strippers, or similar forms of activity as part of organization sanctioned or sponsored events or those open to the public and/or nonmembers including, but not limited to, rush or recruitment activities.

FOG EVENTS

The use of fog-generating equipment is prohibited without prior Institute approval. These fog generating devices are frequently used at parties, performing arts events, and

concerts to create atmosphere (generally in combination with lighting effects), but often have the effect of activating the smoke detectors of building fire alarm systems.

CAMPUS CARD (ID)

The campus card must be carried at all times and must be presented when requested by an Institute official, residence life staff member, a Rensselaer Union official, or campus Public Safety officer.

The campus card is issued to active students at Rensselaer Polytechnic Institute and is identification for the Institute. The card is the property of Rensselaer Polytechnic Institute issued by the Campus Card Office to the cardholder only. Use of the campus card can be revoked at the Institute's sole discretion for any violation of policies and procedures of its use. Access privileges of the card are deactivated when the student's active status ends.

Campus cards are used for access to many buildings, your residence hall, meal plan, Rensselaer Advantage Dollars for campus food establishments, campus vending machines, campus laundry facilities, athletic events, and Commons Mail Room.

INVOLUNTARY LEAVES AND WITHDRAWALS

The Medical Director, the Director of the Counseling Center, and/or the Dean of Students may determine that a leave of absence or withdrawal may be granted based on medical, psychological, or safety factors if it would be in the best interests of the student or the Institute. This action may be taken if, in the opinion of either Director or Dean, a student exhibits behavior which creates, continues, or presents a risk of harm to the physical or mental health of the student concerned or others. The Dean of Students Office will, in its discretion, make exceptions to Institute regulations otherwise applicable to the student to the extent necessary to effectuate this leave of absence. This

mandatory leave or withdrawal will be processed through the Dean of Students Office and is subject only to a written appeal to the Vice President for Student Life, if the student so chooses, *within five (5) Institute business days* after written notification. Action under this section shall not constitute disciplinary action against a student and shall not trigger any hearing or appeal rights under the Rensselaer Student Judicial System.

The Medical Director and/or the Director of the Counseling Center and/or the Dean of Students must consent to the readmission of any student who is granted or placed on a medical or psychological leave or withdrawal, in addition to the student complying with any other conditions for readmission that may have been imposed.

LEAVES OF ABSENCE AFTER SIGNIFICANT PHYSICAL OR EMOTIONAL TRAUMA OR ILLNESS

The Vice President for Student Life may impose a leave of absence upon a student who has sustained an event which, in his/her judgment, has created, or may create in the future, impairment in the ability of the student to continue his/her education at Rensselaer at that time.

In arriving at this judgment, the Vice President for Student Life may request opinions from the Medical Director, the student's academic adviser, the student, his or her family, and other relevant parties.

Policies regarding this involuntary leave shall be the same as set forth for other involuntary leaves or withdrawals initiated by the Medical Director, the Director of the Counseling Center, or the Dean of Students, except that the Vice President for Student Life must also consent to the readmission of the student given a leave under this section.

PARKING RULES AND REGULATIONS

All motor vehicles (including motorcycles and mopeds) must be registered. Parking at Rensselaer is limited and student vehicles are

restricted by permit to specific areas on campus.

Parking permits and copies of the driving and parking regulations are available from the Parking Office or at: www.rpi.edu/dept/parking.

The parking regulations are modified annually by the Parking Review Board (consisting of faculty, staff, and student members) to meet changing needs. Student ticket appeals are decided by the Student Motor Vehicle Court.

Freshmen living in a residence hall are prohibited from bringing a motor vehicle to the Rensselaer campus. Vehicles parked on or contingent to the campus must comply with campus and municipal parking regulations or may be ticketed and towed at the owner's expense.

RULES FOR MAINTENANCE OF PUBLIC ORDER

New York State Education Law, Sections 6430-6435 requires all colleges and universities to adopt regulations for the "maintenance of public order on college campuses and other college property used for educational purposes and provide a program of enforcement thereof." The law requires each college to file such rules and regulations with the New York State Education Department.

New York State Education Law Sections 6430-6435

The trustees or other governing board of every college chartered by the regents or incorporated by act of the legislature shall adopt rules and regulations for the maintenance of public order on college campuses and other college property used for educational purposes and produce a program for the enforcement thereof. Such rules and regulations shall prohibit, among other things, any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Such rules

and regulations shall govern the conduct of students, faculty, and other staff as well as visitors and other licensees and invitees on such campuses and property. The penalties for violations of such rules and regulations shall be clearly set forth therein and shall include provisions for the ejection of a violator from such campus and property, and in the case of a student or faculty violator his/her suspension, expulsion or other appropriate disciplinary action and in the case of an organization which authorizes such conduct, rescission of permission for that organization to operate on campus property. Such penalties shall be in addition to any penalty pursuant to the penal law or any other chapter to which a violator or organization may be subject. A copy of such rules and regulations shall be given to all students enrolled in said college and shall be deemed to be part of the by-laws of all organizations operating on said campus which shall review annually such by-laws with individuals affiliated with such organizations.

Academic freedom is essential to a university community. Freedom of speech and freedom of assembly are essential to academic freedom. Every member of the academic community should be free to pursue full involvement in the educational process of the university without interference from others. All members of the university community should be able to express their views by words and actions and to express by words and actions their opposition to the views and opinions of others. In order to preserve these rights all members of the university community have a responsibility to conduct themselves so that such rights may be exercised without interfering with the rights of others and without fear of violence or injury or interference.

The following rules and regulations are adopted to maintain public order on the university campus and other university property.

1. Any act which would constitute a violation of federal, New York, or local law if committed

- off-campus is prohibited on campus or on other university property.
2. No unauthorized person or persons shall interfere with reasonable and free access to, exit from, and normal use of any university building, classroom, or other university premises.
3. No unauthorized person or persons shall interfere with the freedom of movement or speech of any individual or group.
4. When a speaker is the object of protest or controversy, no unauthorized person or persons shall take any sign or other demonstration impediments into the building where the speech is to take place.
5. Every person who attends any lecture, speech, discussion, or public event shall treat all participants in an orderly and reasonably courteous manner.
6. No unauthorized person or persons shall disrupt or interfere with classes, educational activities, or any events sponsored by any university officer or official, faculty group, or student group.
7. No unauthorized person or persons shall utilize or threaten physical force, physical harassment, or physical obstruction.
8. No person or persons shall use language or actions likely to provoke or encourage physical violence.
9. No person or persons shall use, in public, language or gestures which are unreasonably abusive or obscene.
10. No person or persons shall, without proper authority, occupy any university buildings or premises.
11. No person or persons shall examine, disturb or destroy university records without permission of the person authorized to deal with such records.
12. No person or persons shall cause injury or damage to person or property.
13. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.

14. The possession of any rifle, shotgun, or firearm in or on the campus or other university property is prohibited.
15. In addition to complying with the requirements of the foregoing specific regulations, which are not exhaustive, members of the academic community shall conduct themselves in a manner which does not unreasonably disrupt the academic community or unreasonably infringe upon the rights of others.

Procedures

When requested by the Dean of Students or designee, persons engaged in any demonstration, meeting, or other occasion on campus or on Institute property used for educational purposes, or on other Institute property shall identify themselves in a manner satisfactory to the Dean or designee.

Only peaceful demonstrations are appropriate in an academic community and the Trustees are confident that no member or group of the Institute community will go beyond the bounds set by these regulations. In order to safeguard the interests of all members of the Institute community, it is requested that those planning a demonstration inform the Dean of Students Office as far in advance as is reasonably possible of any planned demonstration, its proposed locale and the object of intended protest, or other purpose.

At any demonstration, meeting, or other occasion, judgment as to whether the regulations are being observed shall be made at the scene by the Dean of Students or designee. The Dean of Students or designee may, before making a judgment, consult with appropriate individuals at the scene who are not involved in the demonstration, meeting, or other occasion.

Responsibility for exercising such judgment shall rest solely with the Dean of Students or designee. It must be emphasized that judgment as to whether the regulations are being observed shall not be exercised by demonstrators, those demonstrated against, or

spectators in contradiction to the expressed judgment of the Dean of Students or designee, except at the risk of such individuals.

If the Dean of Students or designee at the scene of any demonstration, meeting, or other gathering determines that one or more of the regulations are being breached, he or she will request the participants to modify their conduct so as to comply with the regulations, indicating briefly and informally the nature of the breach of regulations and the requested corrective action. All participants and spectators shall comply immediately, fully and cooperatively with the requests of the Dean of Students or designee.

Should any participant or spectator decline to comply with the requests of the Dean of Students or designee, they shall be subject to ejection from the campus and, in the case of students, faculty and other staff, subject to disciplinary action by the university including suspension, expulsion, or other disciplinary action. Thereafter if, in the judgment of the President or any one of the President's designees, there appears to be a clear and present danger of injury to person or property or disruption of university operations is threatened, the President or designee shall seek the aid of Public Safety, the courts, or other civil authority in maintaining or restoring order including, when appropriate, ejection of the violators from the campus or other Institute property.

Hearings and Disciplinary Action

In the event that any student, group of students, organization, or member of the faculty or staff becomes subject to disciplinary action as provided for in these rules and regulations, steps shall be taken to determine whether:

- The regulations have been breached; or
- The person(s) so violating willfully disobeyed any reasonable request of the Dean of Students or designee.

(a) In the case of a student, group of students, or organization comprised primarily of students, all alleged violations of the rules

will be adjudicated within Rensselaer's Judicial System in accordance with its procedures which are published by the Institute.

(b) In the case of a faculty member, a hearing will be held by a committee consisting of three faculty members to be selected as follows: two by the Faculty Senate and one by the President. Such committee shall, if such a breach or willful disobedience is established to its satisfaction, render a decision providing for expulsion, suspension or other appropriate disciplinary action. Such decision shall be subject to appeal to the President.

The faculty member shall be informed in writing, at least three business days before the hearing, of the charges to be considered. Faculty members, who are entitled to individual hearings if they so choose, shall have the opportunity to cross examine, produce evidence, and be heard in their own defense. They shall be permitted to have with them an adviser of their own choosing from within the Institute.

(c) In case of any member of the staff other than faculty, a hearing will be held by a special committee of at least three members appointed by the President. The President shall appoint the Chair. If such breach or willful disobedience be established to the satisfaction of such committee it shall determine the nature and extent of any disciplinary action to be taken against the violator, including expulsion, suspension, or other appropriate disciplinary action. Such determination is subject to appeal to the President.

The staff member shall be informed in writing, at least three business days before the hearing, of the charges to be considered. Staff members, who are entitled to individual hearings if they so choose, shall have the opportunity to cross examine, produce evidence, and be heard in their own defense. They shall be permitted to have with them an adviser of their own choosing from within the Institute.

(d) No person who was involved in any incident which is the subject of a disciplinary hearing shall sit in judgment.

(e) Nothing in these rules shall prevent an informal discussion and settlement of an incident through normal administrative procedures if the alleged violator shall request such informal settlement in writing. Settlement of such informal discussion shall provide for expulsion, suspension, rescission of permission for an organization to operate on public property, or other appropriate disciplinary action. Informal settlement shall not bar the right of appeal.

Members of the Institute community are as citizens subject to penalties. In addition, they are subject to rules pertinent to the Institute community. Therefore, any student, faculty, or staff member may be subject to disciplinary action, as provided herein, in addition to such penalties as may be imposed by civil authorities.

In the event that visitors, licensees or invitees, or other persons who are not members of the academic community shall decline to comply with the request of the Dean of Students or designee or to comply with these rules, such persons shall be advised that they are no longer welcome on campus or on other Institute property and shall be requested to leave. If such persons fail to comply with such request, the President or the President's designees may resort to the courts or other civil authority to enforce the request.

These rules and regulations may be amended by the Board of Trustees.

NOTICE PURSUANT TO THE "CAMPUS SEX CRIMES PREVENTION ACT" AND CAMPUS CRIME REPORTING AND STATISTICS

In accordance with Federal and State law, the following notice is provided: The Advisory Committee on Campus Safety will provide upon request all campus crimes statistics as reported to the United States Department of Education.

The U.S. Department of Education web site address for campus crime statistics is: <http://www.ope.ed.gov/security/search.asp> .

The phone number for the Department of Public Safety, the designated college campus contact authorized to provide such statistics for the Institute, is 276-8527. In addition, information about sex offenders, if any, living or working at Rensselaer, will be available at the Department of Public Safety. For more information about, and access to New York's "Sex Offender Registry," go to: <http://criminaljustice.state.ny.us/nsor/index.htm> .

SEXUAL ASSAULT POLICY

Rensselaer is committed to the standard that all members of the community shall be able to pursue their interests free from non-consensual sexual contact. Therefore, it is a violation of community standards, and Institute policy, to have sexual contact with any member of the community without the clear, freely chosen consent of those involved. Persons bringing action under this policy are encouraged to pursue the incident through the criminal justice system as well as the Institute disciplinary process as set forth in this handbook. Persons bringing action under this policy shall be notified of the outcome of any Rensselaer judicial action.

Rensselaer provides support to assist any individual in better understanding and pursuing the matter through internal and external means. In addition, Rensselaer provides counseling, referral, and related support to any individual involved in such an incident. Students or employees aware of any incident of campus sexual assault are encouraged to contact Public Safety (available 24 hours a day), the Dean of Students Office, and/or Human Resources as soon as possible.

All federal, state, and local laws apply at Rensselaer. Although the Institute may assist students who are charged with crimes, it will not protect anyone from prosecution. In addition, Rensselaer may impose sanctions of its own.

SEXUAL HARASSMENT

POLICY

Rensselaer Polytechnic Institute is committed to providing a work and learning environment free of sexual harassment. Sexual harassment violates an individual's fundamental rights and personal dignity. Rensselaer considers sexual harassment in all its forms to be a serious offense. This policy applies to all staff, faculty, student employees, and students.

DEFINITIONS

Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

Students and Rensselaer employees are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on Rensselaer premises and whether or not the incidents occur during working hours.

Sexual harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.

- Threatening, directly or indirectly, to retaliate against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
- Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request.
- Engaging in sexually suggestive conversation that is unwelcome or physical contact or touching another student or employee in a way that is unwelcome.
- Displaying, storing, or transmitting pornographic or sexually oriented materials.
- Engaging in indecent exposure.
- Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's rejection of the advances.
- Physical conduct such as assault, touching, or blocking normal movement.
- Retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be considered harassing conduct.

REPORTING PROCEDURE FOR COMPLAINTS, DISCRIMINATION, HARASSMENT, OR RETALIATION POLICY

Rensselaer Polytechnic Institute's complaint procedure provides for immediate, thorough, and objective investigation of all claims of discrimination or harassment. If discrimination or harassment has occurred, Rensselaer will take appropriate remedial action that is commensurate with the severity of the offense.

Rensselaer Polytechnic Institute strictly prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of discrimination or

harassment. Any person who violates this policy will be subject to discipline, up to and including termination.

Confidentiality

All inquiries, complaints, and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. However, the identity of the complainant usually is revealed to the person(s) accused of such conduct and any witnesses. Publicizing information about alleged discrimination, harassment, or retaliation is strictly prohibited, and may be considered evidence of a malicious intent.

A copy of any investigation report will be included in the personnel file of any person who is found to have engaged in discrimination, harassment, or retaliation. All other information pertaining to a complaint or investigation is maintained by the Division of Human Resources in secure files.

PROCEDURE

All incidents of discrimination, harassment, or retaliation should be reported.

Informal Resolution Procedures

Students or employees often can stop or prevent discrimination, harassment, or retaliation by immediately and directly expressing his/her disapproval of the conduct. In any case, students and employees should report all incidents of discrimination or harassment to a Dean of Students Office representative.

Some complaints can be resolved through informal mediation between the two parties. The Dean of Students Office may arrange for or facilitate mediation between the parties and coordinate other informal problem resolution measures.

Formal Resolution Procedures

To initiate a formal investigation into an alleged incident involving discrimination, harassment, or retaliation by a Rensselaer employee, a student must file a complaint with Rensselaer's Division of Human Resources.

A victim of discrimination, harassment, or retaliation can institute a formal complaint with the Dean of Students Office if the accused is a Rensselaer student.

In either instance, complaints should be filed as soon as possible after an incident of alleged discrimination, harassment, or retaliation occurs, and the informal resolution either fails or the complainant elects to go directly to a formal complaint. To ensure a prompt and thorough investigation, the complainant should provide as much of the following information as possible:

- The name, department, and position of the person or persons allegedly causing the discrimination, harassment, or retaliation.
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses.
- The alleged effect of the incident(s) on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other students or employees who might have been subject to the same or similar discrimination, harassment, or retaliation.
- Any steps the complainant has taken to try to stop the discrimination, harassment, or retaliation.
- Any other information the complainant believes to be relevant to the discrimination, harassment, or retaliation.

Time Limit for Filing a Complaint

In order to pursue redress through Rensselaer's procedures, an aggrieved employee or student should meet with a representative of the Department of Human Resources or the Dean of Students Office, as the case may be, as soon as possible after the alleged act of discrimination, harassment, or retaliation to discuss the complaint; in any case, no later than 60 days of the date by which the employee or student should reasonably have known of the action. In the case of an aggrieved student, the time limit shall be from the date of the incident up through 12 months following the date of graduation when the incident is between a

student and a faculty member who is responsible for assessing the student's work for grading purposes in a classroom. This time limit will also apply to incidents involving a student and the student's adviser or others responsible for making an appraisal of any of the student's activities.

STUDENT JUDICIAL PROCEDURE

In cases where the accused is a Rensselaer student, all procedures that are applicable to a violation of the Grounds for Disciplinary Action under the applicable requirements of the Student Judicial System, set forth elsewhere in the Handbook, will apply.

Dean of Students Office Responsibilities

The Dean of Students Office is responsible for:

- Ensuring that both the individual filing the complaint and the individual accused of discrimination, harassment, or retaliation are aware of the seriousness of the complaint.
- Explaining Rensselaer's discrimination and harassment policies and investigation procedures.
- Exploring informal means of resolving the complaint.
- Making referrals to the Rensselaer Student Health Center and Counseling Center for counseling and referral services, if appropriate.
- Discuss with complainant the option of the complainant notifying the police if criminal activities are alleged.
- Conducting or arranging for an investigation of the alleged prohibited conduct.
- Preparing or overseeing any reports, recommendations, or remedial action(s) that are needed or warranted to resolve any prohibited conduct.

Each complaint will be assessed and resolved individually.

SIGN POLICY

All students and student organizations are expected to abide by the campus sign policy which is detailed below. This policy was

developed to regulate the style, content, and posting of signs and posters as a means of reducing the litter and visual clutter on campus. It is important that this policy be reviewed before signs are posted.

I. Definitions

- A. The term "sign," as used herein, refers to nonpermanent written or graphic material on paper, cardboard, cloth, or other materials placed on public display for the purpose of advertising or information dissemination.
- B. Only those advertising activities of the Institute or Russell Sage College and their departments will be considered official signs.

II. Style and Content

- A. Signs must not contain anything of a nature directly maligning any person or group. The Institute reserves the right to remove signs deemed to be in poor taste, in unsightly condition, or conveying inaccurate or outdated information.
- B. The name of the group or person posting the sign must be on each sign.
- C. Unofficial signs which advertise goods and services must indicate the date of posting.
- D. Signs may be carried as long as they do not disrupt classes, traffic, or other educational and administrative functions of the Institute or members of the community.
- E. All signs *must include the date* of the advertised event.
- F. No for-profit business external to the Rensselaer community may post anywhere on the Rensselaer campus without the express permission of the Career Development Center, a Rensselaer Union club or organization, the Dean of Students Office, or an Academic Department of the Institute.

III. Posting Signs

- A. Locations for posting signs:
 - 1. Outdoor signs must not be posted on telephone or power poles, trees, fences, doors, windows, benches, the ground, or Institute buildings with the exception of the CII, DCC, and JEC.

- 2. Signs must not be posted on the internal walls, floors, carpets, or doors of any building except as permitted by those having jurisdiction over that building. A group may remove an outdated sign to place a new sign on a bulletin board. All removed signs must be disposed of properly.
- B. Properly posted signs must not be removed prior to the event(s) advertised unless the group which posted the signs authorizes such removal. Unofficial signs which advertise goods and services may be removed two weeks after posting.
- C. Signs must not be posted in such a way as to cover or obscure signs already on display.
- D. No sign may be posted in unreasonable quantity in any particular space.
- E. Nails or any material damaging to the environment must not be used to post signs. Signs may be mounted on bulletin boards only with thumbtacks and staples. Nails, duct tape, string, chalk, adhesive-backed signs (bumper sticker type), and direct application of paint to any surface are prohibited.
- F. Signs remaining uncovered on bulletin boards must be removed by the groups which posted them within three school days following the event.
- G. Signs placed or carried in a building must comply with rules established by those having jurisdiction over that building.
- H. No sign shall be posted in such a way that its removal shall be excessively difficult or dangerous.

IV. Use of Outdoor Bulletin Boards Meant Specifically for Sign Display Purposes

- A. Only the following classes of signs may be posted on bulletin boards:
 - 1. Signs advertising activities of the Institute and Russell Sage College and affiliated groups (e.g., Chapel & Cultural Center);
 - 2. Signs advertising events of interest to the Rensselaer community sponsored by other colleges;
 - 3. Signs advertising area cultural and social events; or
 - 4. Non-Institute related commercial and political advertising.

- B. On those bulletin boards or portions thereof restricted to use for certain classes of signs, as detailed above, signs of other classes shall not be posted and are subject to immediate removal.
- C. No more than one of any particular sign may be posted on any bulletin board.
- D. Signs posted on bulletin boards may not exceed two feet in any orthogonal dimension.
- E. Locked outdoor bulletin board space shall be available to the Institute administration, Faculty Senate, and Student Government, to be divided and apportioned as these groups arrange.

V. Enforcement of Rules

- A. Potential outcome of sign policy violations include:
 1. Immediate removal of signs;
 2. Disciplinary action.
- B. These rules will be superseded for student political signs during campaigning for student elections by the Election Rules passed by the Student Senate.
- C. In extraordinary cases, these rules may be waived by the Director of Student Activities, Grand Marshal, Dean of Students, Chairperson of the Faculty Senate, President or Vice Presidents of the Institute. Disagreements concerning waiving and interpretation of rules shall be resolved through discussion by these parties. Signs and banners are not typically permitted on the 15th Street walkway bridge. Any exception to this must be pre-approved by the Senior Director of Campus Planning and Facilities Design.
- D. Revisions to this policy must be approved by the Student Senate, the Faculty Senate, and the Dean of Students Office.

SMOKING POLICY

In keeping with Rensselaer's desire to protect the health of its faculty, staff, students, visitors, other campus constituencies, and the public in general, it is Rensselaer's policy to provide a smoke-free environment to the maximum extent possible for those desiring

such an environment in accordance with Article 13-E of the New York State Public Health Law.

Smoking is defined as the act of smoking or carrying a lighted cigar, cigarette, pipe or any other smoking material or device in any indoor area.

Smoking is permitted only in the following indoor areas and under the following circumstances: individual bedrooms in the residence halls in which all occupants agree to allow smoking.

STEAM TUNNELS AND DESIGNATED CONFINED SPACES

Rensselaer's campus has tunnels and designated confined spaces for access to steam pipes and utility chases at various locations. Confined spaces are marked with signs indicating that the space has been designated as a confined space, and entry is allowed by permit only. Because of the danger inherent in these locations, steam tunnels and designated confined spaces may be entered only by authorized personnel. Students found to have entered a steam tunnel or any designated confined space are subject to disciplinary action.

USE OF INSTITUTE BUILDINGS AND FACILITIES

Individual students or groups of students who wish to reserve buildings, classrooms, or outdoor facilities at Rensselaer should consult with the Facilities Coordinator or the Scheduler (Registrar's Office) who is responsible for referring such requests to the appropriate departments. Sponsoring groups or individuals are responsible for reasonable control and care of participants, spectators, and property during events under their sponsorship.

RENSSELAER UNION POLICIES

The Rensselaer Union has established policies and guidelines concerning the use of the Union and its facilities. The following is a partial list of the policies that are likely to affect a user of the building.

I. UNION AFFILIATION

A. Individuals

Rensselaer students, faculty, staff, alumni and their spouses and dependants shall be considered members of the Rensselaer community. As such, they, and their invited guests, shall be allowed the use of the Union building and facilities. Only activity fee-paying students may participate in student elections and hold office in clubs.

B. Clubs and Organizations

Clubs and organizations are divided into five categories. These categories are ranked in order of priority for use of the Union building and facilities. They are, in order, Funded, Recognized, Affiliated, Forming, and Not Recognized. In the case of the first four categories, they must meet the criteria for club approval.

- **Funded** denotes those clubs and activities that have been approved by the Executive Board and are financially responsible to the Rensselaer Union.
- **Recognized** denotes those clubs and activities approved by the Executive Board that are not fiscally responsible to the Rensselaer Union.
Affiliated, in general, denotes those activities that are not recognized by the Executive Board, but are recognized by some branch of Rensselaer Polytechnic Institute (e.g., the Dean of Students Office, academic departments, etc.).
- **Forming** are those clubs that have started the process of becoming a Union recognized club.
- **Not Recognized** includes all activities that have not applied for classification, or do not meet the requirements for any other classification.

II. USE OF THE BUILDING

A. Public Restrictions

1. Only members of the Rensselaer Polytechnic Institute community and their invited guests are permitted to use the services of the Rensselaer Union.
2. Consistent with the laws of the State of New York no dogs or other pets are allowed in the building (except guide dogs).

B. Scheduling

1. Meeting Rooms

Persons or groups wishing to reserve a meeting room should contact the Reservation Services Coordinator in the Rensselaer Union Administration Office. Organizations that the Union funds or recognizes shall have the highest priority.

2. McNeil Room

The Union has implemented a year round McNeil Room scheduling policy. Persons or groups wishing to reserve the McNeil Room should contact the Reservations Services Coordinator in the Rensselaer Union Administration Office as far in advance of the event as possible.

C. Restrictions

1. Smoking Policy

Smoking is not permitted in the Rensselaer Union.

2. Alcohol Policy

Alcohol is prohibited in the Rensselaer Union with the exemption of the Clubhouse Pub and other spaces in the Union that receive Alcohol Review Committee permits and other permits as needed.

D. Advertising

1. Sign Board Policy

This is for Rensselaer Polytechnic Institute events. Sign boards and banners are allowed to be displayed on the south balcony by reservation. Other spaces inside and outside the Union building require special permission.

For the complete sign board policy and to reserve space, contact the Reservation Services Coordinator in the Rensselaer Union Administration Office.

2. Poster Policy

There are several poster boards in the Union designated for general posting. Some areas are restricted to posters for certain activities and groups. All posters must be approved and stamped in the Rensselaer Union Administration Office; a maximum of five may be placed in the Union. During school elections, additional restrictions may also apply. A list of election rules is available from the Student Senate Rules and Elections Committee or in the Rensselaer Union Administration Office.

3. Flyers Policy

Distribution of flyers and table tents are for Rensselaer Polytechnic Institute events and must be coordinated with the Rensselaer Union Administration Office.

4. Political and Religious Activity

Detailed information about student government policy related to political and religious activity in the Union, or activity conducted by the Union or one of its funded organizations, is available on the Rensselaer Union Web site: <http://www.union.rpi.edu>

RENSELAER UNION CONSTITUTION

In order to provide students with the most recent version of the Rensselaer Union Constitution, the complete document has been placed on the web at:

<http://elections.union.rpi.edu> .

All students are encouraged to familiarize themselves with the official Constitution. As always, a hard copy of this document is available in the Union Administration or the Dean of Students Office.

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NOTES

**Dean of Students Office
Academy Hall, Suite 4600
Rensselaer Polytechnic Institute
110 8th Street
Troy, NY 12180-3590 USA**

Rensselaer admits qualified students without regard to race, color, gender, sexual orientation, age, creed, religion, national or ethnic origin, marital status, veteran status, or disability.