

**T**hese are the University regulations and official policy statements for undergraduate and graduate students at Clarkson University. Students, for their own benefit, should be familiar with this material and also with the academic standards and curriculum information given in the Clarkson catalog. Certain portions of the Clarkson Regulations are applicable to faculty, administration and staff, as well as visitors to the University.

The Office of the Vice President for University Outreach and Student Affairs is responsible for the dissemination of the Clarkson Regulations. Clarkson University reserves the right to amend this entire document from time to time as deemed necessary.

Questions about the regulations or their interpretation may be directed to either of the following individuals:

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**EQUAL OPPORTUNITY POLICY**

Clarkson University does not discriminate on the basis of race, gender, color, creed, religion, national origin, age, disability, sexual orientation, veteran status or marital status in provision of educational or employment. This policy prohibiting discrimination on the basis of sexual orientation does not apply to the University's relationships with outside organizations, including the federal government, the military, ROTC, and private employers.

Clarkson University does not discriminate on the basis of sex or disability in its educational programs and activities, pursuant to the requirements of Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, and the American Disabilities Act of 1990 respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Section 504, and the Americans with Disabilities Act of 1990 should be directed to Jennifer de Coste, Section 504/ADA Coordinator, Room 101, Center for Advanced Materials Processing, Clarkson University, P.O. Box 5512, Potsdam, NY 13699-5512; or telephone 315-268-3785. Inquiries concerning Title IX, the Age Discrimination Act, or other discrimination concerns should be directed to Suzanne E. Davis, Title IX Coordinator, Student Administrative Services, Room 101D, Cublely-Reynolds Quad, Clarkson University, P.O. Box 5615, Potsdam, NY 13699-5615; or telephone 315-268-6493. Information on the processing of grievances and charges relating to the above policies can be obtained from the Office of Affirmative Action.

Clarkson University is making a special effort to identify a broad spectrum of candidates in both employment and educational programs, including women, minorities, people with disabilities, and veterans.

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\*The University's *Comprehensive Operations Manual* contains the following documents that are applicable to students and to student organizations (whether recognized or informal):

- 6.6 Intellectual Property Policy
- 7.3 Distribution of Information to the University Community
- 7.8 Policy Statement and Guidelines on Educational Business Activities of Clarkson University
- 7.10 Land Use Policy
- 7.11 Use of University Name and Letterhead
- 7.13 Charitable Fund Drives

A copy of the *Comprehensive Operations Manual* can be reviewed by students and their organizations and by visitors at the Student Senate Office, the Office of the Vice President for University Outreach and Student Affairs, or the Human Resources Office.

# **I STATEMENT ON RIGHTS & RESPONSIBILITIES OF STUDENTS AT CLARKSON UNIVERSITY**

## **I-A PREAMBLE**

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community. To foster such conditions, Clarkson may regulate the conduct of its students when such conduct constitutes a hazard or an infringement on the rights of others, violation of the law, or a disruption of the academic and administrative processes of the University. Student organizations recognized by the University are subject to the same regulations as individual students.

## **I-B RIGHTS AND RESPONSIBILITIES OF STUDENTS AT CLARKSON**

### **1. In the Classroom**

The professor in the classroom and in conference encourages free discussion, inquiry and expression. Student performance in the classroom is evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

- a. Protection of Freedom of Expression. Students are free to take reasoned exception in a reasonable manner to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.
- b. Protection Against Improper Academic Evaluation. Students have protection through orderly procedures against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

### **2. Student Records**

Clarkson has a carefully considered policy as to the information that is a part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records are separate. Transcripts of academic records contain only information about academic status. Information from transcripts, disciplinary or counseling files is not available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved, in accordance with applicable law. Provision is also made for periodic routine destruction of noncurrent disciplinary records. Administrative staff and faculty members will respect confidential information about students that they acquire in the course of their work.

### **3. Student Affairs**

In student affairs, certain standards must be maintained if the freedom of students is to be preserved.

- a. *Freedom of Association*. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free to organize and join associations to promote their common interests.
  - 1) The membership, policies, and actions of a student organization usually will be determined by vote of only those persons who hold bona fide membership in the University community.
  - 2) Affiliation with an extramural organization should not of itself disqualify a student organization from University recognition.
  - 3) Each organization should be free to choose its own adviser. Campus advisers may advise organizations in the exercise of responsibility, but they do not have the authority to control the policy of such organizations.
  - 4) Student organizations may be required to submit a statement of purpose, criteria for membership, rules of procedures, a current list of officers, and name of adviser(s). They are not required, except in the case of social fraternities and sororities, to submit a membership list as a condition of University recognition.
  - 5) Campus organizations, including those affiliated with an extramural organization, are open to all students without respect to race, creed or national origin, except for religious qualifications that may be required by organizations whose aims are primarily sectarian to the extent permitted by applicable law.

b. *Freedom of Inquiry and Expression*

- 1) Students and student organizations are free to examine and to discuss all questions of interest to them, and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the University. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations students or student organizations speak only for themselves.
- 2) Student organizations are allowed to invite and to hear any person of their own choosing. Only University-recognized organizations, academic departments, faculty, and administration are permitted to use University facilities to hold meetings and sponsor speakers. During the nonacademic periods of the fall and spring semesters, community nonprofit and politically nonpartisan organizations may be permitted to use the University facilities at the discretion of the Student Activities director. Those routine procedures required by the University before a guest speaker is invited to appear on campus are designed only to ensure that there is orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The University's control of campus facilities is not to be used as a device of censorship. Sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the University.

c. *Student Participation in University Government.* As constituents of the academic community, students are free, individually and collectively, to express their views on issues of University policy and on matters of general interest to the student body. The student body has clearly defined means to participate in the formulation and application of University policy affecting academic and student affairs. The role of the student government and both its general and specific responsibilities are explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.

d. *Student-Edited and -Written Publications.* Student publications, including literary publications and the student press, are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the University authorities and of formulating student opinion on various issues on the campus and in the world at large.

The student newspaper is independent financially and legally separate from the University. Clarkson is not responsible in any way for the contents or format of the student newspaper. Students have editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community.

University authorities, in consultation with students and faculty, may provide guidance as to the role of the student publications, the standards to be used in their evaluation, and the limitations on external control of their operation. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo. As safeguards for the editorial freedom of student publications, the following provisions are necessary:

- 1) The student press is free of censorship and advance approval of copy, and its editors and managers are free to develop their own editorial policies and news coverage.
- 2) Editors and managers of student publications are protected from arbitrary suspension and removal because of student, faculty, administrative or public disapproval of editorial policy or content. Only for proper and stated causes should editors and managers be subject to removal and then by orderly and prescribed procedures. The agency responsible for the appointment of editors and managers is the agency responsible for their removal.
- 3) All University-published and -financed student publications should explicitly state on the editorial page that the opinions there expressed are not necessarily those of the University or student body.

#### **4. Off-Campus Freedom of Students**

a. *Exercise of Rights of Citizenship.* University students are both citizens and members of the academic community. As citizens, students enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy and, as members of the academic community, they are subject to the obligations that accrue to them by virtue of this membership. Faculty members and administrative officials ensure that University powers are not employed to inhibit such intellectual and personal development of students as is often promoted by the exercise of the rights of citizenship both on and off campus.

b. *University Authority and Civil Penalties.* Activities of students may upon occasion result in violation of the law. Students who violate the law may incur penalties prescribed by governmental authorities, but University authority will never be used merely to duplicate the function of general laws. Only where the University's interests as an academic community are distinct and clearly involved is the special authority of the University asserted. University action is independent of community pressure and is based on impairment of or interference with the missions, processes, safety or functions of the University.

## **5. Procedural Standards in Disciplinary Procedures**

In developing responsible student conduct, disciplinary proceedings play a role substantially secondary to example, counseling, guidance and admonition. At the same time, educational institutions have the duty and the corollary disciplinary powers to protect their educational purpose through the setting of standards of scholarship and conduct for the students who attend them and through the regulation of the use of institutional facilities. In the exceptional circumstances when the preferred means fail to resolve problems of student conduct, proper procedural safeguards should be observed to protect the student from the unfair imposition of serious penalties.

The administration of discipline should guarantee procedural fairness to an accused student. In all situations, procedural fair play requires that the student be informed of the nature of the charges against him or her, that he or she be given a fair opportunity to refute them, that the institution not be arbitrary in its actions, and that there be provision for appeal of a decision.



# **II COURSE POLICIES**

## **II-A COURSE ENROLLMENT**

1. Within the published course enrollment period, students who are returning to Clarkson for the following semester must, with approval of their adviser, enroll themselves into classes to be taken the next semester. A \$50 late fee will be charged to any student who does not complete class enrollment by the end of the enrollment period.
2. A superior upper division undergraduate student may enroll in graduate courses with the approval of his or her advisor and the course instructor. To enroll in a 500-level course, the student's cumulative quality point average must be 3.0 or higher; to enroll in a 600-level course, the student's cumulative quality point average must be 3.5 or higher. A form is available in Student Administrative Services for use in qualification certification and enrollment approval.

When such courses are completed beyond the normal credit-hour requirements for the bachelor's degree, credit for such graduate-level courses may be applied toward a graduate degree with the written permission of the undergraduate student's department chair, program director or designee and the Dean of his or her School. School of Business graduate courses are open on a limited basis to students pursuing an undergraduate business degree with approval of the Dean of the School of Business.

## **II-B FINANCIAL CLEARANCE AND CHECK-IN**

1. Each student is required to complete the financial clearance and check-in process each semester as defined by Student Administrative Services. An undergraduate or graduate student who has not completed check-in by the end of the fifth day of class in any term may be charged a \$50 late fee and may be officially dropped from the Registrar's record of active students. Any undergraduate student who has been dropped and wishes to continue at Clarkson is required to contact Student Administrative Services and request to be readmitted to the University. Any graduate student who has been dropped and wishes to continue at Clarkson is required to contact the Dean of his or her school and request to be readmitted to the University. There is no assurance that courses originally on a student's schedule will be available for a student requesting to be readmitted.
2. Check-in cannot be completed and the student cannot be officially admitted to class unless payment or satisfactory arrangements for payment for all tuition, fees, housing and meal expenses have been made through Student Administrative Services.  
Undergraduate Student Status:
  - a. Part time — enrolled for less than 12 credit hours
  - b. Full time — enrolled for 12 but less than 20 credit hours

- c. Full time (overload) — enrolled for 20 or more credit hours. Refer to section IX-W, #2 for information pertaining to tuition for each status.

## **II-C COURSE SYLLABUS**

Within the first week of classes, the instructor will provide all students with a course syllabus, and will post a copy on the University web site in an area reserved for class web pages. The instructor will also submit a copy of this syllabus to the department chair or appropriate academic officer for archival purposes. The content of the syllabus should include, as a minimum, the following information:

1. topical outline,
2. course learning objectives (expected learning accomplishments),
3. demonstrable course outcomes,
4. attendance requirements and policies for making up missed course work, laboratory and project work, tests, and examinations,
5. an explanation of the method used to determine the course grade,
6. designation of the course as a non-final exam course, or not,
7. policy on granting A or B exemptions from the final exam,
8. tentative dates for all tests and other major components of coursework, and
9. contact information for the course instructor.

## **II-D RESCHEDULING OF CLASSES**

1. After the beginning of the semester, instructors may reschedule classes only in exceptional circumstances. The instructor's department chair (or designated School administrator) must approve the proposed change. The department (or School) will then work with Room Reservations to effect the change. In making such changes, instructors must consider the rights of the individual. If such a change is inconvenient to even one student, the right of that student to attend class at the regularly scheduled time must outweigh the desires of the rest of the class.
2. For each of their courses, instructors will not cancel or reschedule the last class that meets before, or the first class that meets after, a break in the semester schedule (i.e., long weekend, Thanksgiving recess, spring recess).

## **II-E FIELD TRIPS**

A field trip is a trip off-campus organized for the purposes of educational value. The instructor will obtain the approval of the Dean of the School involved and will provide the Dean a list of participants.



# **III ACADEMIC REGULATIONS**

## **III-A DROPPING OR ADDING A COURSE**

1. A student may add a course through the 10th day of classes with the approval of his or her academic adviser, department chair, program director or designee. The course add may be done by the student on-line.
2. A student may change class sections on-line, if there are seats available, or with permission of the class instructor through the 10th day of classes. During the third and fourth weeks of class, section changes may be made with the approval of the instructors of the sections being added and dropped via an add-drop form brought to Student Administrative Services.
3. A student may drop a course through the 10th day of classes of a semester after consultation with his or her academic adviser, department chair, program director or designee. Course drops may be done by the student on-line through the 10th day of classes.
4. After the first two weeks of classes and not later than the last day of classes (i.e. the business day preceding the first day of final examinations), a student may drop a course. A student must consult with his or her academic adviser to obtain his or her signature on the drop form, and then the student must obtain the signature of either the instructor, department chair, program director or designee of the department offering the course. These signatures are required for verification only, and do not denote approval. After the fourth week of classes, Student Administrative Services shall make a permanent notation on the student's transcript assigning the course a grade of W (withdrew between 5th and 10th week) or LW (late withdrawal after the 10th week).

5. Procedure for exception to the regulation: If a student seeks an exception to the above regulations, he or she must obtain the signatures as required above and also complete a Request for Exception. If an exception is granted, it allows a student to withdraw after the last day of classes, the transcript shall show a grade of LW (late withdrawal). The request for a late withdrawal must be made on the "Request for Exception" form. Students must consult with their academic adviser, program director, or department chair and receive the approval of the Dean of the School in which they are majoring.
6. Students who are charged for credit hours beyond the full tuition rate and who drop a course will receive refunds in accordance with regulation IX-Y Refund Policy.
7. A course affected by academic integrity sanctions cannot be dropped.

### **III-B CHANGING MAJORS AND DECLARING MINORS**

1. Written permission of the department chair or program director of the major the student is changing to is required to change to a different major. Students may obtain the appropriate form from the department or Student Administrative Services.
2. The department chair or program director of the major to which the student is transferring will notify Student Administrative Services in writing of the conditions of the transfer. Student Administrative Services will copy this information to the student, the old department or program, and the new department or program.
3. When a student transfers from one major to another, pre-transfer grades in identical courses required in the new curriculum must be transferred without change or omission from the cumulative average. Courses previously omitted but now required in the new major must be reinstated. Other courses in the record may be disregarded in computing the cumulative average at the discretion of the chair or program director of the major to which the student is transferring.
4. Certain departments, schools, and programs offer an opportunity to minor in a field of study other than the major field. A minor is optional, and if successfully completed, is indicated on the university transcript. A minor consists of fifteen or more credits as determined by the academic unit offering the minor.
5. To select a minor, a student must notify the academic unit offering the minor and submit the appropriate form to Student Administrative Services. It is suggested that this be done as early as possible, preferably by the beginning of the student's junior year. The student will be advised by the offering department in regard to completing the requirements of the minor.
6. At least one-fourth of the credit hours required for the minor must be completed at Clarkson, unless an exception is approved by the dean of the minor program. Only zero credit hour courses may be taken pass/no credit. A student who, upon matriculation at Clarkson, was assigned to the Class of 2004 or later must achieve a QPA of 2.0 in the minor [see III-U, # 3-d].

### **III-C CLASSIFICATION OF REGULAR STUDENTS**

1. A student shall be classified as a freshman, sophomore, junior or senior based on the total number of hours passed. Only credits appearing on the student's official university record at the time of classification will be considered. Classifications are reviewed and updated periodically according to the following schedule:

#### **HOURS PASSED**

Senior	84-
Junior	54-83
Sophomore	24-53
Freshman	0-23

2. Whenever a student is readmitted, continued or changes majors, the classification will be reviewed by Student Administrative Services and be subject to change according to existing rules.
3. The Registrar shall have final authority in determining a student's classification.

### **III-D NONDEGREE STUDENTS**

1. An individual may enroll at Clarkson University for special study on either a full-time or part-time basis. Although such individuals are classified as non-matriculating, they are provided an opportunity for academic study with concentration in a particular area of interest. This status may be used to obtain exposure in a particular area as a foundation for further academic work. Many persons with a degree use this status to gain exposure to another discipline without pursuing a degree. Students who are enrolled as non-degree students may not earn a degree from the University without gaining admission to a degree-granting program. Admission is obtained through the Office of Freshman Admission, Transfer Admission, or the Graduate School. Non-degree students may take a maximum of 15 credit hours of coursework.

2. Persons interested in admission as a non-degree student should contact Student Administrative Services. Non-degree students must obtain approval for the courses they want to take from the Director of University Studies, or the Dean of the appropriate school, if the courses are graduate level. This approval is given on the basis of the student's academic background and personal goals.
3. Such students have no class standing, are not eligible for financial aid and are not eligible to participate in any extracurricular activities involving intercollegiate competition.

### **III-E CROSS-REGISTRATION POLICY**

1. Full-time undergraduate students within the Associated Colleges of the St. Lawrence Valley are eligible to cross-register for up to two courses a year. Graduate students may also cross-register with the approval of their adviser, department chair, or program director, and Dean of the student's School.
2. Courses taken through cross-registration will appear on the academic transcript with letter grade earned and will be included in calculation of cumulative averages. As long as the total number of credits taken, including cross-registered courses, does not exceed 19 during the regular semester, there will be no additional tuition charged for undergraduates. Graduate students will pay for these cross-registered credits at the Clarkson University graduate tuition rate. Check with Student Administrative Services for specific information pertaining to this program.

### **III-F ATTENDANCE**

1. Instructors will include in their written course syllabi [see section II-C], at the beginning of the semester, their individual attendance requirements, including their policies for making up missed course work, laboratory and project work, tests, and examinations.
2. Absences never exempt a student from the work required for satisfactory completion of the course(s). Students have the responsibility for discussing absences with their instructors, and making arrangements for completing work as necessary and possible. Instructors are encouraged to be reasonable in making accommodations.
3. In cases where a student is seriously ill for several days, has been hospitalized, is called home suddenly because of family emergency, or when the student considers the circumstances of an absence to be too personal or confidential to be discussed with the instructors, the student may contact the Dean of Students' office. The Dean of Students will assess the circumstances, and if warranted will notify the instructors of the absence for the student. This does not alter the student's responsibility to work with the instructor eventually to make up missed work. In cases of prolonged absence, in which completion of a course on schedule has been jeopardized, refer to Regulation III-I-3 on Incomplete grades.
4. An instructor may request from the Dean of Students' office verification of a student's cause for an absence from examinations or tests. Such requests will be fulfilled as deemed reasonable and practicable. In those special cases where the Dean has been asked to notify instructors of absences (see section 3 above) the Dean may also request appropriate documentation or verification concerning the reason for the absence.
5. Instructors are requested to report three consecutive absences to the Dean of Students' office in order to provide a minimal check on the physical and academic well-being of the student.
6. Religious Observance  
New York State Law mandates that Clarkson accommodate students who, for religious reasons, are unable to register for classes, take an exam, or attend a class. No student shall be expelled from Clarkson or refused admission because he or she is unable to register for classes, attend a class, or participate in any examination because of religious beliefs. Students are required to notify instructors of their impending absence in advance so that arrangements can be made for making up missed assignments, quizzes or tests. The provisions of this policy are:
  - a. That faculty and administrative officials make available an equivalent opportunity to register for classes, make up an exam or study or work requirements.
  - b. If registration, classes, or exams are held on Friday after four o'clock or on Saturday, alternatives shall be made, where it is possible and practical to do so.
  - c. That a student may take action with the State Supreme Court if the institution does not make a good faith effort to comply. The only remedy is that Clarkson must comply with the legislation.
  - d. That the provisions of this legislation be made known to the students.

### **III-G TESTS**

1. In accordance with regulation II-C concerning preparation of a course syllabus, each instructor will provide within the first week after the start of each semester, a course outline to all students. This outline shall include at least tentative dates of "hourlies." Instructors are encouraged to be flexible with examination dates whenever a substantial number of students request a change.
2. A student who fails to take a scheduled test may be marked as failed if he or she has not made alternative arrangements with the instructor. Make-up tests, if required, shall be held at the instructor's convenience, without charge.
3. Tests or examinations given outside the regular class periods will be scheduled on Tuesday, Wednesday, or Thursday and will be held within the following one-hour periods: 7 to 8 p.m. and 8:30 to 9:30 p.m. and at other times approved by the Provost, on a semester-by-semester basis. Written notices will be given to the Room Reservations Office and to the department chair by the faculty member giving the test at least two weeks prior to the date of the test. Normally, priority will be given in accordance with the chronological receipt of the request by the Room Reservations Office each semester. Take-home exams are given at the discretion of the respective course instructor. Violations of the rule will be reported to the appropriate academic dean.
4. Tests and examinations cannot be given within one academic day following the end of a vacation.
5. Homework that is due on the first day immediately following a vacation cannot be assigned on the last day preceding the beginning of the vacation.
6. No tests or examinations of any kind can be given on any of the seven calendar days preceding the first day of final examinations, except for laboratory, physical education, aerospace studies, and military science courses.

### **III-H FINAL EXAMINATIONS**

1. Students will take a final examination in every course in which they are enrolled except for:
  - a. Courses designated as non-final courses.
  - b. Courses in which the instructor grants A or A and B exemptions.  
An instructor who elects to designate a course as non-final or to grant exemptions from final examinations must include this information in the course outline provided to students at the beginning of each semester [see II-C].
2. Final exams may be no more than three hours in length.
3. All final examinations are to be given only during the regular final examination period.
4. No student will be required to take more than three final examinations in one day, or more than four in two consecutive days. Students with conflicts, including having too many finals as per the regulations, must make arrangements with the instructors involved; if accommodation is not reached, the student may seek assistance from his/her department chair, director or designee.
5. A student who fails to take a final examination may be marked as failed if he or she has not made alternative arrangements with the instructor. A make-up examination, if required, shall be held at the instructor's convenience, without charge.

### **III-I GRADING SYSTEM**

#### **1. Undergraduate Letter Grades**

- A passed with 4.0 quality points per credit hour
- B+ passed with 3.5 quality points per credit hour
- B passed with 3.0 quality points per credit hour
- C+ passed with 2.5 quality points per credit hour
- C passed with 2.0 quality points per credit hour
- D+ passed with 1.5 quality points per credit hour
- D lowest passing grade with 1 quality point per credit hour
- F failure
- P pass (see Pass-No Credit Policy III-N)
- NC No Credit (see Pass-No Credit Policy III-N)
- I incomplete grade: given only in cases described in #3, below. An I grade must be replaced by one of the above letter grades as required by the rules in #3, below.
- W course dropped or student withdrawal from University after the first 4 weeks of any semester
- LW course dropped or student withdrawal from University after the first 10 weeks of any semester

## 2. Graduate Letter Grades

- A passed with 4.0 quality points per credit hour
- B+ passed with 3.5 quality points per credit hour
- B passed with 3.0 quality points per credit hour
- C+ passed with 2.5 quality points per credit hour
- C passed with 2.0 quality points per credit hour
- F failure
- P passing: this grade may be employed only for seminar courses and special projects, and only with the approval of the department chair (or comparable administrative unit) and the Dean of the Graduate School/Provost
- I incomplete grade.

## 3. Incomplete Grades

- a. Incomplete grades are submitted for dissertation, thesis, or designated special project courses that are intended to span more than one semester, an Incomplete (I) grade is submitted at the end of each semester for which the student is enrolled, subsequently changes to the actual grade upon completion.
- b. For all other courses, a student who is unable to complete the requirements of a course because of extenuating circumstances may seek an Incomplete grade (I) for the course. Whether or not an "I" grade is given is entirely at the discretion of the faculty member for the course, although the faculty member may ask the Dean of Students' Office if it has relevant information regarding students' requests. The conferring of an "I" grade carries the presumption that it is possible for the course to be completed with a passing grade; in cases where the missing work is such that it cannot be completed after the end of the semester, or where completion of the missing work could not possibly result in a passing grade for the course, an "I" grade should not be given.
- c. Requests for an "I" grade shall be made on a form available from Student Administrative Services. Faculty members indicate on the form whether they approve or disapprove the "I" grade request for their course(s) and return the completed form to Student Administrative Services. If the faculty member approves the request, he or she lists on the form the work that must be completed to remove the "I" grade and the due date for this work and submits an "I" for the student on the course grade roster. If the faculty member disapproves the request, he or she submits a letter grade for the student on the course grade sheet. Unless otherwise stated on the form, or if no form is received, the work required to remove an "I" grade must be completed no later than the end of the 7th week of classes of the next semester in which the student registers at the University, otherwise a grade of "F" is recorded. All requests for "I" grades by a student in the same semester shall be made on a single form, and students seeking more than two "I" grades in the same semester must consult with the Dean of Students prior to seeking faculty approval for their requests.
- d. To remove an "I" grade, the instructor shall submit a completed Change of Grade form to the instructor's department chair (or comparable administrative officer), and upon approval, it is sent to Student Administrative Services. Then the specified grade shall replace the "I" grade in the semester(s) in which the student registered for the course.

**4. Midterm Grade Rosters** will be created on-line for all courses. Midterm grades are intended to inform students of their academic progress; they do not become part of a permanent student record. In courses in which student work has been evaluated before midterm, one of the following two grades will be awarded: S—Satisfactory U—Unsatisfactory. A midterm grade of unsatisfactory ("U") should be recognized as indicating undergraduate performance below the level of a "C" grade. For those courses in which no student work has been evaluated before midterm, the report will show an "N" for each student.

## 5. Posting Grades

No grades are to be publicly posted by name, social security number or by student ID. Final grades are entered on-line by the faculty by the designated deadline. Only grades issued by Student Administrative Services will be considered official.

## 6. Changes in Grades

Once grades have been submitted electronically and posted by the Registrar to the students' transcript, the following procedure will be followed by all members of the teaching staff when it becomes necessary, for any reason, to change a student's grade. Forms are available in departmental offices.

- a. Grades for a course must be based only on work performed before the end of each semester. Grade changes (except for the change of "I" grades) are permitted only in cases of errors in calculating or recording grades.
- b. The change of grade desired, together with adequate explanation, will be submitted by the faculty member concerned to his or her department chair (or designated School administrator).
- c. If the department chair (or designated School administrator) approves the request for change of grade, the request will be submitted to the Dean of the School.

- d. If the request is approved by the Dean of the School, the change of grade will be reported by the Dean of the School to Student Administrative Services. SAS will make the appropriate change on the student's record and notify the student and the staff concerned.

### **7. Computation of Quality-Point Ratio**

- a. In the computation of the quality-point ratio, only work taken at Clarkson University and in courses taken under the Cross-Registration Program of the Associated Colleges of the St. Lawrence Valley will be included. The quality-point ratio is computed by multiplying the number of quality points corresponding to the grade in each course by the hours of credit for the course, adding these products for each course taken, and then dividing this sum by the total number of hours taken.
- b. Each student's quality-point ratio will be computed at the end of each semester and at the end of the summer session if he or she has been enrolled for summer work.
- c. A student can repeat only courses in which grades of D+, D, or F have been received. Neither credit hours nor quality points for a course in which a student has a D+, D, or F grade will be used in calculating the cumulative quality-point average when the course is repeated at Clarkson University; only the credit hours and quality points of the repeated course will be used. In the case of a lower grade being earned, the better grade will stand and the lower grade will be eliminated from calculation of the QPA. However, the original grades remain on the student's transcript. When the student successfully completes an approved course off-campus, the original D+, D, or F will not be used in computing the quality-point average (QPA). However, in all cases, the original grades remain on the student's transcript.
- d. At the discretion of the chair of the department or director of the program in which the student is majoring, courses taken but not required for graduation may be omitted from the calculation of the cumulative average. Such courses, however, must remain on the transcript.
- e. Although QPA may subsequently change due to courses being repeated or omitted, academic standing will not change; academic standing is based solely on the original semester performance. See Section III-R.

### **III-J TRANSCRIPTS**

Each student is entitled to one academic record transcript issued at the time of graduation. For a transcript issued at any other date, a fee of \$4 will be charged. Transcripts will not be issued for any current student, alumnus, alumna or former student of Clarkson University who has a past-due account or loan with the University until an approved arrangement has been made through Student Administrative Services.

### **III-K OFF-CAMPUS COURSES FOR CLARKSON CREDIT**

Any courses taken by a Clarkson student at another campus, other than those taken by cross-registration at one of the Associated Colleges, must receive approval before Clarkson credit can be granted. Approval is obtained by completing a form available from Student Administrative Services or the department or program office. A catalog description of the course(s) should accompany the form. The course(s) must be approved by the Clarkson department or school responsible for the subject of the course and by the student's department or program. Therefore, to avoid the possibility of having a completed course disapproved, a student should obtain approval before taking a course. Credit will be accepted only for those approved courses that are passed with grades equivalent to the "C" grade or higher at Clarkson upon receipt of an official transcript. Grades in such courses are not used in computing a student's QPA.

### **III-L ADVANCED PLACEMENT**

Advanced placement, credit defined as college-level credit earned either in high school or college prior to matriculation at any college, may be awarded by high attainment on College Level Examination Program Examinations, College Board Advanced Placement Examinations, or examinations specially prepared or approved by the departments involved or by transfer of college credit earned elsewhere. Consideration will also be given for International Baccalaureate High Level coursework. Transfer credit for non-college work will not be granted unless students can show proficiency by testing. The following conditions apply:

1. College Level Examination Program (CLEP) credit for those courses applicable to the curriculum will be given to an applicant scoring at or above the 60th percentile in the individual (but not general) Subject Examinations. An applicant who scores between the 50th and 60th percentile will be reviewed and may receive credit.
2. An applicant successfully completing a College Board Advanced Placement Examination with a score of four (4) or better may receive credit for those courses applicable to the University curriculum. Refer to the University Catalog for scores required in specific tests and Clarkson course equivalency.
3. All advanced placement credit is assigned by Student Administrative Services according to policy set by the University's academic units. Advanced placement should be determined before the student's first registration on

campus, but must be finalized before the student's second registration on campus. Advanced placement credit based on tests or examination will be limited to 30 hours and treated in the same manner as transfer credit. Advanced placement credit based on college-level courses transferred from other institutions will be awarded upon receipt of an official college transcript indicating a grade of C or better and course description if evaluated by the course offering department at Clarkson to be appropriate for Clarkson credit.

### **III-M CREDIT FOR ARMED FORCES COURSES**

Clarkson permits, but does not guarantee, the granting of credit to incoming students for completed courses administered by the Armed Forces. All such credit must be approved by the student's academic department or program.

### **III-N PASS OR NO CREDIT**

1. Undergraduates may take up to 24 credit hours on a pass or no credit (P/NC) basis. Up to six hours may be taken per semester with the following provisions:
  - a. Any free or undesignated elective may be taken on a pass or no credit basis without further restriction. (Free or undesignated electives are those courses in a student's curriculum upon which there are no restrictions or limitation other than the listed prerequisites.)
  - b. With the approval of the degree-granting department or program and the department supervising the course, any other course may be taken on a pass or no credit basis.
  - c. No course having non-zero credit hours that is used to satisfy a requirement for a minor may be taken on a pass or no credit basis.
2. Certain courses that may involve innovative teaching methods and/or objectives that do not readily lend themselves to traditional methods of evaluation may be designated by the department as pass or no credit courses. Departments must designate them as pass or no credit prior to registration.
3. A student wishing to take a course on a pass or no credit basis must submit to Student Administrative Services a pass/no credit form within the first two weeks of classes indicating approval of advisor, and, if not a free or undesignated elective, approval of the course department chair.
  - a. The student will be permitted to change his or her designation up to the end of the add period.
  - b. The instructor will not be informed that a student is taking a course on a pass or no credit basis.
  - c. The Registrar will convert the instructor's letter grade to Pass (P); in the case of non-pass, the course will appear on the student's transcript with an NC (no credit) notation.
4. A grade of A, B+, B, C+, or C will be considered passing.
5. Pass grades will not affect the quality-point average (QPA) but a Pass grade will be applied to the credit hour requirement for graduation.
6. If a student transfers to another department or program and has received pass credit for courses that are now requirements, the department will accept these credits toward the major requirements.

### **III-O WITHDRAWALS**

1. Any undergraduate student planning to withdraw from the University, whether permanently or for leave of absence, must initiate the process with the Vice President for University Outreach and Student Affairs. The VP will meet with the student to discuss their reasons for the withdrawal or leave of absence, and explain the process. Graduate students should initiate the process in the appropriate academic School.
2. A leave of absence can only be granted to undergraduate students who were in good academic standing the semester prior to the leave as noted on the academic transcript for the previous full semester. A leave may also be granted for new students with no prior semester standing. Please refer to Section III-R for rules relating to good academic standing.
3. A refund will be made only after all University accounts have been cleared by Student Administrative Services.
4. When a student withdraws from the University after the first 4 weeks of a semester, a grade of W (withdrew between 5th and 10th week) or LW (late withdrawal after the 10th week) will be recorded for each course in which the student was enrolled.
5. Any student living in University housing who is withdrawing from the University, whether permanently or for a leave of absence, must vacate and remove all personal possessions within 24 hours. All rights to room cease after 24 hours.
6. Refunds of charges: see Section IX-Y Refund Policy.

### **III-P READMISSION**

A student who has withdrawn from the University or who wishes to return from a leave of absence may apply for

readmission by letter to Student Administrative Services if an undergraduate student, or the appropriate School if a graduate student. All cases of undergraduate readmission require concurrent approval of the department chair or program director and of the University's Continuance and Readmission Committee. In cases of a return from an official leave of absence, such approval is assumed. However, readmission will not be allowed if a student is delinquent on a Clarkson loan or has an outstanding tuition balance.

### **III-Q ACADEMIC HONORS**

A student must be enrolled in at least 14 credits, of which 12 or more must be for letter grade, and receive no failing grades in order to qualify for the Dean's List or as a Presidential Scholar.

1. A student is eligible for the academic Dean's List in any semester in which he or she earns at least a 3.250 quality-point average.
2. A student is eligible for the Presidential Scholar List in any semester in which he or she earns at least a 3.800 quality-point average.

### **III-R ACADEMIC STANDING**

1. Academic Standing is assigned at the end of the Fall or Spring semesters based on semester GPA, credits attempted, and prior term standing.
2. A student in good standing whose current semester quality-point average falls below 2.000 shall be placed on academic warning.
3. A student on academic warning whose current semester quality-point average is at least 2.000 and who has received grades for at least 12 credit hours in the current semester will be placed on academic good standing. A student on academic warning whose current semester quality-point average falls below 2.000 or who fails to receive grades for at least 12 credit hours in the current semester shall be placed on academic probation.
4. A student who fails to remove him- or herself from academic probation back to warning at the end of the semester by achieving a 2.000 current semester quality-point average while receiving grades for at least 12 credit hours will be separated from the University.
5. Students enrolled as part-time may be exempt from the 12-credit-hour regulation with concurrence of the Chair of the student's department and the Director of Student Administrative Services.
6. Any student whose current semester quality-point average falls below 1.0 will be separated from the University.
7. If separated, a student may apply for continuance in writing to Student Administrative Services. All cases of continuance require concurrent approval of the department chair or program director and of the University's Continuance and Readmission Committee. Upon continuance, the student will be placed on academic probation. Should a student earn the Academic Standing of Academic Separation in the semester in which degree requirements are completed, the Registrar, in consultation with the department chair, may amend the wording on the student's transcript to more accurately display the standing at the time of completion.
8. The academic status acquired at the end of any semester shall take effect at the beginning of the next summer school or semester in which the student registers, or in the case of separation, shall take effect prior to the beginning of the next academic term (summer school or semester, whichever comes first).
9. Academic standing is based solely on performance within the semester and does not change due to subsequent changes in QPA due to courses being repeated or omitted.

### **III-S FY100**

All entering Clarkson students who are classified as freshmen are required to complete the FY100 course (PE100 for Clarkson School students) as a requirement for graduation. The University may designate some other adjustment-oriented course as a substitute for FY100. It is recommended that students complete this course during their first year, and they are automatically enrolled in this course if they enter in the fall semester. Transfer students entering with the status of sophomore, junior or senior (greater than 24 credit hours), and students who have served in the military have no requirement to complete this course.

### **III-T DOUBLE MAJORS AND SECOND CLARKSON DEGREES**

1. A double major bachelor's degree is awarded when the student satisfies all curricular requirements for two bachelor's degree programs but does not qualify for a second degree as defined in Section III-T-2. This is a single degree with two majors, and all requirements for both programs must be completed prior to graduation.
2. A student can be awarded two Clarkson bachelor's degrees if he or she satisfies all degree requirements for two different Clarkson bachelor's degree programs. In addition, a minimum of 150 credit hours is required including at least 30 credit hours unique to each program. These degrees may be awarded simultaneously or sequentially, as long as requirements have been met.

### **III-U GRADUATION**

1. Based on information supplied by the University, each student is responsible for ascertaining and meeting the requirements for graduation. The student must satisfactorily complete the curriculum and satisfy the graduation requirements prescribed by any one catalog in force during a period of the student's matriculation at Clarkson.
2. At the time of graduation all requirements for completing a double major and any minors or concentrations must have been completed. All majors, minors and concentrations must be formally registered and part of the student's academic record prior to the date the degrees are approved.
3. To be eligible for graduation, an undergraduate student must satisfy each of the following requirements:
  - a. A student entering as a first semester freshman must have been in residence for at least four semesters, including the final undergraduate semester; or, if entering with advanced standing, have completed at least half the remaining upper-level undergraduate work in residence at Clarkson. The program must include a minimum of two semesters (30 credit hours) including the final undergraduate semester.
  - b. Must have satisfactorily completed the curriculum in which the student is registered.
  - c. Any student who, upon matriculation at Clarkson, is assigned to the Class of 1989 or later must achieve a cumulative QPA of at least 2.000.
  - d. Any student who, upon matriculation at Clarkson, was assigned to the Class of 2004 or later, must achieve a cumulative QPA of at least 2.0 in the major field of study, and if completing one or more minors, must have achieved a QPA of at least 2.0 in each minor. The lists of courses that constitute the major and minor field are determined by the department or academic unit that offers the degree program or minor and are maintained by Student Administrative Services.
  - e. Must have satisfied the FY100 requirement. Students are exempt from this requirement if they entered with sophomore standing or above, or have actively served in the military.
  - f. Must have completed the University Foundation Requirements as specified in the catalog. For first year students entering in the Fall of 2006, the requirements of the Clarkson Common Experience must be satisfied.
4. The student becomes a degree candidate when the department chair or program director certifies that the student has completed department or program and University requirements for graduation and, consequently, recommends him or her to the faculty for the conferring of the appropriate degree. If a failed course has been removed from the curriculum or is an elective, the student may meet graduation requirements by the substitution of another course that has the written approval of the chair or director of the degree-granting department or program.
5. Successful completion of minors or concentrations, if any, is certified by the department chairs or program directors of the academic units offering the minors.
6. With the written approval of the chair or director of the degree-granting department or program, a student who has completed all but six hours for graduation may take them off campus. (See Section III-K Off-Campus Courses for Clarkson Credit of these Regulations for further information regarding taking courses off campus.) These undergraduate students are also eligible to participate in the Commencement ceremony.
7. At graduation a student will receive the bachelor's degree "with distinction" if his or her cumulative quality-point average is at least 3.250 or "with great distinction" if it is at least 3.750.
8. Students must have met financial obligations to the University within the time specified by Student Administrative Services. Diplomas and transcripts will be withheld on past-due accounts and loans. In addition, diplomas and/or transcripts may be withheld for not completing a required exit interview involving University-administered loan programs.

### **III-V EXCEPTIONS**

1. Requests for exceptions to academic rules and regulations must be made in writing on the "Request for Exception" form.
2. For exceptions that do not involve graduation requirements, the request must have a recommendation by the student's adviser and department chair, program director or designee. The Dean of the student's School will approve or disapprove. (In cases where the department and School reviews are made by the same person, approval also must be received from the Provost.)
3. For exceptions to graduation requirements, the request also must also be sent to the Academic Standards Committee of the Faculty Senate for approval or disapproval on behalf of the faculty. In these cases, the Academic Standards Committee is the final authority for approval or disapproval.
4. A "Request for Exception" will be processed by Student Administrative Services only after it has been completed with the necessary signatures as prescribed above.

### **III-W GRADUATE PROGRAM**

A description of the Graduate Program and special regulations can be found in the University catalog. Regulations I; II-B 1, 3; III-A, E-K, P, V; IV; V; VI; VII; VIII; IX; and X apply to graduate as well as undergraduate students.



## **IV ACADEMIC INTEGRITY**

### **IV-A CODE OF ETHICS**

Clarkson values personal integrity. Matriculation at Clarkson carries with it the obligation that a student will not claim as his or her own, the work of another, or any work that has not been honestly performed, will not take any examination by improper means, and will not aid and abet another in any dishonesty.

Violations of the Code of Ethics are regarded as most serious offenses and render the offenders liable to severe disciplinary action. Alleged violations of the Code of Ethics are dealt with according to the section on the Academic Integrity Committee.

### **IV-B ACADEMIC INTEGRITY COMMITTEE**

The Academic Integrity Committee deals with alleged violations of the Code of Ethics.

Faculty members are encouraged to recognize the Committee as the primary body for adjudicating alleged violations. If faculty members elect to levy sanctions on their own authority against students for violations committed in their courses, they must inform the charged students of their right to appeal the sanction to the Committee and inform the Academic Integrity Committee of any sanctions levied.

All cases involving a recommendation of suspension or expulsion must be referred to the Committee.

The Committee, at the end of each semester, will prepare a summary of the cases of established violations and the sanctions imposed for publication in *The Integrator*.

The duties of the Committee thus are:

1. to adjudicate cases specifically referred to it,
2. to hear appeals to sanctions imposed by individual faculty members, and
3. to publicize its findings.

All cases, whether they are handled by individual faculty members or by the Committee, must be reported to the Vice President for University Outreach and Student Affairs and the Dean of Students' Office who will consolidate the information with the files of student conduct violations.

### **Committee Composition and Terms of Membership**

1. The Committee is comprised of the following: four faculty; including at least one member of the Faculty Senate, one representative of each School, and faculty members of both genders; three students — two undergraduate and one graduate student; chair chosen from among faculty who have previously served on the committee.
2. The term of office for members of the Committee shall be one year, from one commencement to the next.

### **Appointment Requirements and Procedures**

1. Student Members. Student members shall be selected by the Student Senate in the spring to serve for the following academic year. The Student Senate shall appoint three members and one alternate to the Committee. If any vacancy shall exist during the year, the Student Senate shall appoint the alternate to the Committee for the balance of the year.

*Recall:* The student members of the Committee shall be ancillary to Article XIII of the CUSA Constitution.

2. Faculty Members. The Faculty Senate will select from the full-time Clarkson faculty the chair, three additional members, and two alternates in the spring to serve for the following academic year.

### **Responsibilities of the Chair**

1. The chair shall ensure that the designated procedures are followed for organizational and Committee meetings.
2. The chair shall preside at all hearings and meetings of the Committee, maintaining order and decorum, and ruling on points of procedure.
3. The chair shall maintain complete files of each case to be kept in the SAS.

4. The chair shall report in writing annually to the Faculty Senate and the Student Senate, describing the number and types of cases dealt with, and problems encountered (without, however, revealing names or other confidential matters).

## **Procedures**

1. Consideration of alleged academic violations involves issues of academic judgment and review that are distinct from the consideration of alleged violations of the University's rules for nonacademic conduct.
2. Hearings
  - a. A hearing is an administrative and not a criminal proceeding; therefore, there is no need to define academic violations or the hearing procedures with the specificity required in the criminal law. In general, a student shall be entitled to a hearing that is fundamentally fair and shall comply generally with the following. Strict adherence to the rules is not required.
  - b. Students, faculty members, or others making allegations of violation of the Code of Ethics shall submit to the chair a written description of the charges.
  - c. Within five (5) days of the receipt of the written description, the chair shall, in consultation with the Committee members, set the date for hearing the case. If a member is disqualified by virtue of being a principal in the case or because the member feels unable to judge the case objectively, the rest of the Committee, by majority vote, shall designate an alternate. If the chair is disqualified, the other members of the Committee shall elect, by majority vote, a chair pro tem.
  - d. At least seven (7) calendar days in advance of the hearing the Chair shall inform in writing the accused and the accuser of the scheduled hearing. The written notice shall include:
    - 1) a statement of the charges
    - 2) a list of all known witnesses and a description of the known evidence in support of the charges
    - 3) a statement of the time and place of the hearing
    - 4) a copy of the hearing procedures
  - e. A student who fails to appear or to participate in a hearing after proper notice will be deemed to have pled guilty to the charge(s) pending against him or her and will be subject to the sanction levied by the Academic Integrity Committee.
  - f. The student has the right to be assisted in his or her defense by an adviser of his or her choice. The adviser may be present but may not participate as an advocate in the proceedings.
  - g. Only those persons having a role in the hearing shall be permitted to attend.
  - h. Technical rules of evidence applicable to civil and criminal courts are not applicable. All matters upon which the decision may be based must be introduced into evidence at the proceedings of the Committee. Its decision must be based solely upon such matters.
  - i. The burden of proof shall rest upon the person(s) bringing the charge.
  - j. The student charged will be given the opportunity to testify and to present evidence and witnesses upon his or her behalf. He or she shall have an opportunity to hear and question adverse witnesses, as will the Committee. In no case will the Committee consider statements against a student unless the student has been advised of their content and of the names of those who made them.
  - k. There will be a tape recording of all hearings.
  - l. After the hearing has been completed, the Committee shall determine in a closed meeting whether the allegation is upheld. A minimum of four votes for and a maximum of zero against shall be required to uphold an allegation. The chair shall be nonvoting. Abstentions shall not be considered a vote against.
  - m. For an upheld allegation the Committee shall determine by majority vote one or more of the following penalties to be assessed:
    - 1) "Ethical Probation" for a period to be specified by the Committee, or the remainder of the student's time at Clarkson to be kept on file in the Office of the Dean of Students and the Vice President for University Outreach and Student Affairs. Should a second violation of academic integrity occur during the period of ethical probation, a recommendation to the president for ethical suspension would ensue automatically.
    - 2) Grade of F for the assignment or examination.
    - 3) Grade of F for the course or for a percentage of the course. A grade of F submitted by the instructor, either for a piece of work or for the course, as a sanction for a violation of academic integrity, may be overturned by the Committee.
    - 4) Grade sanction for the course, equal to half integral amounts of a letter grade up to a maximum of three letter grades.
    - 5) "Ethical Suspension" to be recommended to the president (mandated for second and all following offenses). Students may not transfer to Clarkson University any credits for courses taken at another institution while on ethical suspension.

- 6) "Ethical Expulsion" to be recommended to the president.
  - 7) A course affected by academic integrity sanctions cannot be dropped.  
The chair may vote to break ties. The chair shall forward the recommendations to the President or his designated representative.
3. Adjudication — The Committee shall be responsible for the disposition of all cases brought before it during its term of office.

*Clarkson University reserves the right to amend this entire document from time to time as deemed necessary.*



# **V** CODE OF STUDENT CONDUCT

## **V-A DEFINITIONS**

- 1. University** — Clarkson University at Potsdam, New York.
- 2. Academic Community** — all members of the faculty, administration, staff, and student body.
- 3. Student** — an individual who is enrolled (full or part time) in courses offered by the University.
- 4. University Premises** — buildings and grounds owned, leased, and used by the University.
- 5. University-sponsored Activity** — any activity on or off campus which is initiated, organized, controlled and supervised by the University.
- 6. Organization** — a number of people belonging to a recognized University group.

## **V-B PROHIBITED CONDUCT**

The University expects that all students will conduct themselves as responsible members of society as defined by this Code. Disciplinary measures will be taken for the following reasons. Note, however, these do not cover every single circumstance when disciplinary measures will be enacted. In general, any act that infringes upon the rights of others or that adversely affects the academic or administrative activities of the University is prohibited.

1. Violations of any federal, state, or local law, where, in the judgment of the University, the person charged endangers the property or threatens the personal safety of the academic community.
2. Violations of University policies and regulations as stated in this booklet and any other regulations that may be enacted.
3. Fraudulent or dishonest conduct, including but not limited to, providing false information to the University.
4. Failure to comply with instructions of administrative officials, including resident advisers, who have duly identified themselves.
5. All forms of academic dishonesty, including cheating, fabrication, plagiarism, and aiding and abetting of a dishonest act. (A violation pertaining to this item will be handled through the Academic Integrity procedures.)
6. Intentional disruption or obstruction of teaching, research and administrative activities or any other form of infringement upon the rights or freedoms of a member of the academic community.
7. Theft from or damage to the University, University-affiliated services, members of the academic community, or visitors to campus, as well as damage to their property.
8. Abuse, verbal or physical, or threat of same upon any member of the academic community.
9. Any behavior that is socially or morally unacceptable.
10. Unauthorized use, possession or storage of any weapon, explosive device or material, including but not limited to firearms, knives, fireworks or ammunition.
11. Possession, use or distribution of a controlled substance or illegal drug or paraphernalia related to its use.
12. Tampering with fire-warning devices, protection equipment and other related devices designed to protect the safety of the academic community.
13. Repeated offenses which, by themselves, would not warrant suspension or dismissal, but collectively indicate that further attendance by the student is not in the best interests of the student or the University.



# **VI DISCIPLINARY PROCEEDINGS**

## **VI-A DEAN'S INQUIRY**

A dean's inquiry occurs when the name of a student comes to the attention of the Dean of Students' staff as someone who may be involved in, or may have been a witness to, a violation of the Code of Student Conduct.

1. The student(s) will be notified of the nature of the inquiry and of the disciplinary process. The inquiry does not necessarily lead to formal charges, but is part of the initial fact-finding phase of the disciplinary process. The student(s) will be asked questions about the incident. Other persons may be present at the Dean of Students' discretion.
2. Based upon the information collected, the Dean of Students or the Dean's designee decides whether disciplinary action is warranted for the student(s)' alleged violation of the Code. If so, the student(s) will be charged with one or more violations of the Code of Student Conduct. The Dean or the designee will then render a judgment in the case or have the matter referred to the Hearing Committee on Discipline and Disorders.
3. a. If the student(s) agrees with the judgment, the case is considered resolved. A letter to this effect will be sent to the student(s) and placed on file in the Dean of Students Office and the Office of the Vice President for University Outreach and Student Affairs.  
b. If a student does not agree with the judgment, he or she may appeal the decision to the Hearing Committee on Discipline and Disorders.
4. Cases recommending suspension or expulsion go directly to the Hearing Committee on Discipline and Disorders.

## **VI-B HEARING COMMITTEE ON DISCIPLINE AND DISORDERS**

The Hearing Committee on Discipline and Disorders has two functions in disciplinary proceedings:

- It holds initial hearings in all cases of suspension and expulsion and in those referred to it by the Dean of Students or Vice President for University Outreach and Student Affairs.
- It hears appeals of the results of dean's inquiries.

The disciplinary process is an administrative and not a criminal proceeding, therefore, there is no need to define prohibited conduct or the hearing procedures with the specificity required in criminal law. In general, a student or organization shall be entitled to a proceeding that is fundamentally fair and that shall comply generally with the following. Strict adherence to the rules is not required.

- a. The Committee shall consist of six members selected in the spring to serve for the following academic year and who may also be selected for successive terms. The president shall select a person to serve as chair. The membership shall be:
  - two undergraduate students selected by the Student Senate from full-time students in good standing who will be juniors or seniors during their term and who are not members of the Student Senate;
  - one graduate student nominated by the Dean of the Graduate School/Provost from full-time graduate students in good standing;
  - two faculty members selected by the Faculty Senate from full-time faculty who are not members of the Faculty Senate;
  - one member selected by the Administrative Council;
  - a chair selected by the president.

Corresponding alternates shall be selected at the same time and in the same manner.

- b. No Committee member shall sit in review of a case in which he or she previously has been involved.
- c. The heads of the appropriate governance bodies shall fill permanent or temporary vacancies as they occur.
- d. A quorum consists of five members with decisions being made by the majority of those present and voting.
- e. The chair shall vote only in case of a tie.
- f. Hearing Committee on Discipline and Disorders recommendations of suspension or expulsion are forwarded to the president for review and action.

NOTE: Violations of other regulations, e.g., Fraternity and Sorority Recognition Policy, will be referred to the appropriate body.

### **1. Initial Hearing Procedures**

The following procedures shall be followed when a disciplinary hearing is convened:

- a. The student will be informed, in writing, of the reasons for the proposed disciplinary action at least seven (7) calendar days in advance of the hearing. The written notice shall include:
  - 1) a statement of the charges;
  - 2) a list of all known witnesses and a description of the known evidence in support of the charges;

- 3) a statement of the time and place of the hearing; and
- 4) a copy of these hearing procedures.
- b. A student who fails to appear or to participate in a hearing after proper notice will be deemed to be responsible for the charge(s) pending against him or her and will be subject to the sanction levied by the Hearing Committee on Discipline and Disorders.
- c. The student has the right to be assisted in his or her defense by an adviser of his or her choice. The adviser may be present but may not participate as an advocate in the proceedings.
- d. Only those persons having a role in the hearing shall be permitted to attend.
- e. Technical rules of evidence applicable to civil and criminal courts are not applicable. All matters upon which the decision may be based must be introduced into evidence at the proceedings before the Committee. Its decision must be based solely upon such matters.
- f. The burden of proof shall rest upon the person(s) bringing the charge.
- g. The student charged will be given the opportunity to testify and to present evidence and witnesses upon his or her behalf. He or she shall have an opportunity to hear and question adverse witnesses, as will the Panel. In no case will the Panel consider statements against a student unless the student has been advised of their content and of the names of those who made them.
- h. There will be an audio recording of all hearings.

## **2. Appeals of Dean's Inquiries**

- a. Appeals of a Dean of Students' or the designee's decision to the Hearing Committee on Discipline and Disorders must be submitted in writing to the Vice President for University Outreach and Student Affairs within 10 calendar days from the date of the letter notifying the student of the original decision. Grounds for appeal must be included in the request. Appeals shall be forwarded to the chairperson of the Committee.
- b. Appeals shall be decided only upon the record of the original proceeding and the written appeal submitted by the student, unless the Committee deems it necessary to seek additional information.
- c. The Hearing Committee on Discipline and Disorders may take the following actions, with deference generally given to the Dean of Students.
  - 1) Affirm the finding and the sanction imposed by the Dean of Students.
  - 2) Affirm the finding and reduce, but not eliminate, the sanction. Sanctions may only be reduced if found to be grossly disproportionate to the offense.
  - 3) Remand the case to the Vice President for University Outreach and Student Affairs. This may occur if specified procedural errors were so substantial as to effectively deny the student a fair hearing, or if new and significant evidence became available which could not have been discovered by a properly diligent person before or during the original proceeding. The decision of the Vice President for University Outreach and Student Affairs on remand shall be final and conclusive.
  - 4) Dismiss the case. This may occur if the original decision is held to be arbitrary and capricious.

## **3. Status of Student Pending Final Action**

Pending action on the charges, the status of a student should not be altered, or his or her right to be present on the campus and to attend classes suspended, except for reasons relating to his or her physical or emotional safety and well-being, or for reasons relating to the safety and well-being of students, faculty or University property.

## **VI-C SANCTIONS**

The following may be imposed upon students or organizations for violation of the Code of Student Conduct:

- 1. Disciplinary reprimand** — a written warning that further misconduct may result in more severe disciplinary action (generally given in cases of minor misconduct). A copy of this warning is kept in the student's disciplinary file.
- 2. Disciplinary probation** — a letter of probation is placed on file with the Dean of Students and in the Office of the Vice President for University Outreach and Student Affairs indicating that further violations may result in suspension or expulsion from the University. Forfeiture of privileges or other sanctions may be enacted by the Dean of Students or the Vice President for University Outreach and Student Affairs (given for a specified period of time and for serious misconduct).
- 3. Restitution** — the student is required to pay for damages resulting from a violation of this code.
- 4. Disciplinary suspension** — given for extremely serious misconduct when it is believed that the student should be removed from the University for a specified period of time. Upon readmission, the student is placed on disciplinary probation for a minimum of one semester. A letter may be sent to parents and notice is sent to the dean of the appropriate school and the department chair or the Interdisciplinary Engineering and Management director. (Suspension requires administrative review and approval by the President and may be altered, deferred or withheld.)

- 5. Disciplinary expulsion** — given for extremely serious misconduct when it is the judgment of the University that the student should never be permitted to reenter the University. A letter may be sent to parents and a notice is sent to the dean of the appropriate school and the department chair or the Interdisciplinary Engineering and Management director. (Expulsion requires administrative review and approval by the President and may be altered, deferred or suspended.)
- 6. Other sanctions** — instead of, or in addition to, sanctions appearing in 1 through 5, other penalties may be imposed. These could include suspension from University housing, denial of driving privileges, fines, and/or assignment to work or research projects that benefit a charitable or nonprofit institution, including the University.
- 7. Parental notification** — when a student under the age of 21 has violated campus regulations regarding alcohol or drug use for a second time, or in a manner that is considered particularly dangerous or risky for the student or others, parents or legal guardians will be notified of the violation, disciplinary sanctions, and recommendations for appropriate action. This represents an effort to recognize parents as partners in the educational process, and the University encourages parents to discuss the situation with their student before the student faces potentially more serious repercussions. A letter will typically be sent to parents at the student's legal address on file with the University. In the case of dangerous or risky situations, a student affairs administrator may call the family. The University encourages families to discuss such matters together, and find positive and creative means for preventing further problems.



## **VII STATEMENT ON THE MAINTENANCE OF PUBLIC ORDER ON CAMPUS**

### **VII-A PREAMBLE**

1. Clarkson University is chartered by and operates under the laws of the State of New York. Its students, faculty, administration, and staff compose a community whose primary purposes are the development and transmission of knowledge — the search for truth. These are endeavors of reason. They demand freedom of inquiry and expression, with dissent recognized as a fundamental ingredient in the pursuit of ultimate truth. These purposes require freedom from violence and from the threat of violence. It is the right and duty of all members of the academic community to foster and preserve this environment, and it is the right and responsibility of both faculty and students to participate, in accordance with experience, competence and particular interest, in making the rules and regulations required for the furtherance of these purposes.
2. In accordance with the above, the following general principles and procedures are submitted for the maintenance of public order on the campus. These principles and procedures apply with equal force for all members of the Clarkson community: students, faculty, administration and staff, and also for visitors.

### **VII-B PRINCIPLES FOR THE MAINTENANCE OF PUBLIC ORDER**

1. The rights of all members of the University community must be protected. The University must be concerned with the protection of human rights, civil liberties, academic freedom, health, safety, welfare and property of all members of the University community and of the University itself. To that end it will not tolerate violence, or threats of violence, or violent reaction to peaceful demonstrations.
2. All members of the University community must be free to seek their educational objectives. Peaceful demonstrations will be permitted; however, disorder will not.
3. To continue to generate and maintain an intellectual and educational atmosphere at the University, members of the Clarkson community and invited guests must be given the opportunity to be heard. Respect for the democratic principle of open discussions and the right to hold and to present differing opinions carries with it the obligation to allow speakers to speak and audiences to hear.
4. Lines of communication must be kept open, assuring efficient handling of administrative matters and providing all legitimate means for dissent and for redress of grievances. The solutions to specific routine problems should be sought in the first instance through those administrative, faculty and student officers to whom such matters have been assigned. Appropriate publications of the University shall clearly designate these persons. Matters involving policy shall be referred to appropriate administration, faculty and student bodies. The employees' handbook on grievance procedures should be followed where applicable. Recognizing the need for workable grievance

procedures as the primary method to avoid the disruption of public order on the campus, the University shall continue to develop such procedures; and this document will be amended to include such additional procedures at the earliest possible date.

### **VII-C DETERMINATION OF A DISORDER**

1. The President or his or her designated academic representative shall determine when disorder exists on University property, and shall make the decisions necessary to restore public order. When a disorder is resulting in obvious violence to persons or property, the President may act immediately. In all other cases he or she must meet and consult with an advisory committee consisting at least of the ranking member of the Student Senate and the Faculty Senate available and present and other members of the University community appropriate to the specific situation before reaching a decision. The order in which designated academic representatives of the President may act for him or her shall be clearly spelled out by him or her in advance and the appropriate representative shall act only in his or her absence.
2. When it has been decided that disorder exists, the president or his or her designated representative will read to the group the following statement: "In my judgment public order is now in jeopardy and a clear danger to the University community exists. Unless you cease and desist, I intend to take action according to University policy." The President or his or her designated representative shall add additional comments appropriate to the situation.

### **VII-D ACTIONS AND PENALTIES**

1. Even though a demonstration is not judged to be a disorder, the participants are responsible for the proper restoration of the areas used when these areas have been subjected to more than normal wear and tear.
2. If disorder ceases when the President or his or her designated representative reads the statement in C-2 of this statement, and no violation of law, damage to property, or physical injury has taken place, and as noted above, restoration has been carried out, no penalties shall be levied by the University.
3. If disorder ceases but the law has been violated through physical injury or severe property damage, those responsible for the violation shall be treated in accordance with the law. Those determined to be responsible for any damage shall be charged for the cost of repairs.
4. If disorder does not cease when the President or his or her designated representative reads the statement in C-2 of this statement, the following action will be taken:
  - a. If immediate violence to persons or severe property damage is taking place or threatened, the President or his or her designated representative will request that law be invoked.
  - b. The action and rapidity of action taken in other cases must be decided on the basis of the circumstances by the President or his or her designated representatives and the advisory committee. It is expected that broad consultation with all concerned elements of the University community will take place whenever time and circumstance permit.
  - c. All those who continue to take part in a disorder after a formal request to cease has been made will be subject to disciplinary proceedings (and/or, where applicable, law). In such circumstances the penalty for a student may be expulsion from the University. In the case of a faculty member or other employee, such action may be grounds for dismissal.
5. Any person not a member of the Clarkson community who is taking part in a disorder will be requested to leave immediately. If he or she does not comply, appropriate legal action will be taken.
6. Any individual or organization authorizing an "initiation or affiliation disorder" shall be subject to rescission of permission to operate on campus property in addition to any other legal penalty.

### **VII-E HEARINGS AND APPEALS**

1. As a result of any declared disorder, a hearing will be held within 30 days.
2. The University will have a standing Hearing Committee on Discipline and Disorders, the membership of which is described in Section VI-B of these regulations.
3. A major function of the hearing will be to determine the cause of the disorder, to suggest appropriate measures to relieve the situation, and where appropriate to recommend University action.
4. This Committee will also serve as a fact-finding committee regarding penalties or disciplinary action to be taken. On the basis of this hearing the Committee will recommend appropriate University action to the President. The University will take no punitive actions before receiving the recommendations of this Committee. Appeals will follow the normal University procedure with great care taken that students' rights are not violated and that the University policies on academic freedom and tenure are adhered to.
5. The Committee shall hold open hearings (a witness may request that the hearing go into executive session and that he or she have an adviser) at an announced time after adequate notice. Any member of the University

- community may request that he or she be heard by the Committee. This Committee may require any member of the University community to appear as a witness. Failure to appear is itself grounds for disciplinary action unless sufficient reason for the absence can be presented. A record of all actions and testimony shall be forwarded to the President. A person accused before the hearing shall have the right to question his or her accusers.
6. If a member of the Committee has been involved in the disorder or in the declaration that it be a disorder, he or she shall not serve on the Committee for the hearing on that disorder.
  7. This Committee will also review the circumstances under which a declaration of disorder is made, including the action of the President, his or her designated representative, or the advisory committee, to determine whether bad faith or error was present. In such cases it may recommend censure.
  8. Apart from the actions of this Committee, the normal lines of communication as noted in B-4 of this statement will be used to study the cause and its remedy for any peaceful demonstration as well as to study any peaceful demonstrations or disorders involving the Clarkson community taking place off the University campus.

#### **VII-F AMENDMENT PROCEDURES**

Amendments to this document may be recommended to the University Board of Trustees by a majority vote of the members of the Faculty Senate, Administrative Council, and Student Senate, provided a quorum is present of each of these three groups as defined in their respective constitutions.

#### **VII-G DEFINITIONS**

**Adviser:** Anyone who gives advice, including but not restricted to an attorney. His or her presence is for advice only; University proceedings are not a court of law.

**Demonstration:** A public exhibition of attitudes and feelings by one or more individuals, such as, but not restricted to, picketing, meetings, parading and distributing information.

**Disorder:** A condition marked by violence, or threat of violence, or interference with the authorized activities of the University, or prevention of rightful access to University facilities.

**Peaceful demonstration:** A demonstration that is free of disorder.

**Public order:** A condition that allows for the performance of the authorized activities of the University in a normal manner. See also Disorder.

**Severe property damage:** Damage to property judged to be in excess of \$250.

**Threat of violence:** A condition in which physical or verbal acts indicate that violence is imminent.

**Violence:** Use of physical force against person, property, rights or laws.

**Initiation or affiliation disorder:** Any action or situation that 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.

#### **VII-H INTERPRETATION OF PUBLIC ORDER POLICY**

1. The University recognizes signs displayed in a manner that does not interfere with legitimate University activities as an element of peaceful demonstration. Signs, per se, are not barred from any public University events.
2. Vocal or physical hampering of any meeting or ceremony open to the entire academic community is not the right of any individual or group, although they do have the right to attempt to alter the opinions and attitudes of those in attendance by such expressions of belief as their physical presence or the carrying of (appropriate) signs.



## **VIII GRIEVANCE PROCEDURES FOR STUDENTS**

#### **VIII-A PREAMBLE**

The objective of these grievance procedures is to provide students with a fair and expeditious way to resolve a claimed grievance. This objective is pursued through the use of both informal communication and, if necessary, the formal grievance process.

## **VIII-B DEFINITION**

A grievance exists when there is a claimed violation, misinterpretation or inequitable application of existing rules, procedures or regulations, or when there is a claimed failure to apply these rules, procedures or regulations.

These grievance procedures do not apply to matters that are subject to review by other designated University personnel or hearing bodies (including without limitation sanctions for violations of the Code of Student Conduct, the Code of Ethics, or Athletics Department policies, codes, rules or regulations).

## **VIII-C PROCEDURES**

1. Any student with a grievance should promptly consult with the person by whom he or she feels aggrieved in an effort to resolve the grievance. Every effort should be made to solve the problem informally. A student may also choose to pursue mediation with the person by whom he or she feels aggrieved. The University Mediation Service can assist in determining whether both parties are willing to participate, and if so, will assign a mediator. The mediation will be handled in confidence.
2. In the event that informal consultations or mediation have not resolved the grievance, the student bringing the complaint may present the grievance, in writing, to the next appropriate administrative level. e.g., if the complaint is directed against a faculty member, then the grievant should address the faculty member's department chair; if the problem is with a member of the administrative staff, then the grievance should be submitted to the staff member's immediate supervisor. This written statement of the grievance should be submitted within ten school days from the date informal consultations ended. The administrator receiving this grievance should review the matter, decide upon what actions, if any, are appropriate, and should inform the grievant and the party or parties against whom the grievance was filed of this decision in writing. The administrator's written response to the grievant should be sent within ten work/school days of receipt of the grievance.
3. If, after following the procedures in VIII-C-1 and 2, the student still believes the grievance exists, he or she may petition the Standing Review Committee (SRC) for a formal hearing. This petition must be submitted within ten work/school days of receipt of the written, administrative response described in VIII-C-2. Within eight school/work days of receipt of the grievant's petition for a hearing, the chair of the SRC should inform the grievant of the date set for the formal hearing. The date of the formal hearing should be as early as practicable, but should not be more than ten school/work days subsequent to the notification sent to the grievant regarding the date set for the formal hearing.
4. While the calendar deadlines detailed in these procedures are designed to ensure the timely review of a grievance, they should not be imposed too rigidly: instead, they should be interpreted so as to accommodate the academic calendar of the student submitting the grievance (e.g., the pressures of final exam week, the presence of summer break, etc.).

## **VIII-D STANDING REVIEW COMMITTEE (SRC)**

### **1. Composition**

- a. The SRC shall consist of six members selected in the spring to serve for the following academic year. Members may be selected for no more than three successive terms. The membership shall be:
  - two undergraduate students selected by the Student Senate from full-time students in good standing who will be juniors or seniors during their term and who are not members of the Student Senate;
  - one graduate student nominated by the Dean of the Graduate School/Provost from full-time graduate students in good standing;
  - two faculty members selected by the Faculty Senate from full-time faculty who are not members of the Faculty Senate;
  - one member selected by the Administrative Council.Corresponding alternates shall be selected at the same time and in the same manner. At least two alternates shall be selected for each member appointed to the SRC. The body originally designating members of the SRC shall fill permanent or temporary vacancies as they occur for both regular and alternate positions.
- b. No SRC member shall sit in review of a case in which he or she has previously been involved.
- c. A quorum for the SRC shall consist of five members. Decisions of the SRC shall be by a majority of those present and voting.
- d. Members of the SRC shall elect a chair from their membership. The chair shall vote only in case of a tie.
- e. The student filing the grievance petition has the privilege of excusing up to three members of the SRC. Those so excused will be replaced for the duration of the hearing in question by one of their previously-designated alternates. Assignment of the replacement alternate will be on a rotational basis.

## 2. Hearing Procedures

- a. At least five days in advance of the formal hearing, the chair of the SRC shall provide all parties involved with:
  - a copy of the student's grievance petition,
  - a copy of the administrator's written response to the grievance [see VIII-C-2, above],
  - a statement of the specific time and place for the formal hearing,
  - a list of anticipated witnesses and a description of available evidence, and
  - a copy of these grievance procedures.
- b. In the course of the hearing, the grievant has the right to be assisted by an advisor of his or her choice drawn from the University community. This advisor may be a fellow student, a Clarkson faculty member, or a member of the University staff.
- c. Both the grievant and the individual alleged to have violated University regulations or procedures have the right to testify before the SRC. Likewise, both parties have the right to present relevant documentary evidence as well as to call and examine pertinent witnesses. However, the technical rules of evidence employed in legal proceedings do not apply to SRC hearings.
- d. A stenographic or audio recording of the formal hearing shall be made.
- e. The decision of the SRC shall be based solely on the evidence presented and testimony heard at the formal hearing. The decision shall be determined by majority vote. The SRC shall promptly communicate its decision and any attendant recommendations to all interested parties for appropriate action. The student-grievant will be provided a written statement of the SRC's decision.
- f. A copy of all documents presented at the formal hearing, as well as the hearing transcript and the SRC's written decision, will be maintained for at least one year in a confidential file in the Office of the Vice President for University Outreach and Student Affairs.

## VIII-E RESTRICTIONS

If a student suspects that he/she has been discriminated against because of race, color, religion, national origin, sex, age or handicap, the student should register this complaint with the Office of Affirmative Action. In such cases, the Discrimination Grievance Procedures described elsewhere are the appropriate means of seeking redress; as such, they supplant the present Grievance Procedures for Students.

## VIII-F DISCRIMINATION GRIEVANCE PROCEDURES

### 1. Purpose

To systematically and appropriately examine complaints by students, faculty and staff (University Community) who contend that discrimination has occurred on the basis of race, gender, (including specifically claims of sexual harassment), creed, color, religion, national origin, age, disability, veteran or marital status and to recommend to the President corrective measures if the evidence so indicates. A copy of the University's antidiscrimination/sexual harassment policies are attached.

### 2. Procedures for Informal Intervention

When any member of the University Community feels unfairly treated because of race, gender, color, religion, national origin, age, disability, sexual preference, veteran or marital status that person has a right to seek to correct the perceived offense. The following informal procedures are available:

- a. Persons having complaints often find it helpful to have someone with whom to discuss the issue prior to pursuing any further action. There are many persons available for such consultation: the Director of Campus Safety, Dean of Students, Director of Student Development, Vice President for University Outreach and Student Affairs, Director of Human Resources, and the International Students Advisor are available to assist in such instances. These staff members can help in clarifying issues, making referrals, and advising about appropriate channels and procedures. However in all instances each of the above persons **must** report the matter to the Affirmative Action Officer.
- b. When situations cannot be resolved on the basis of direct discussion among the parties the next step is for the complainant to report the matter to the offending party's immediate supervisor or to the Vice President for University Outreach and Student Affairs. The supervisor or Vice President for University Outreach and Student Affairs should investigate and take appropriate action to resolve the conflict and report back to the complainant within ten (10) days (work/class). The supervisor and Vice President for University Outreach and Student Affairs **must** report the matter to the Affirmative Action Officer.
- c. Alternatively, the complainant may request that the Affirmative Action Officer discuss the allegations informally with both the complainant and accused in an attempt to end the alleged discrimination or harassment and resolve the issue; or the complainant may request mediation. If mediation is requested, within ten (10) days (work/class) a third party mediator (from the campus panel of trained mediators and coordinated by the

Affirmative Action Officer) shall be named to help resolve a complaint on an informal basis. Such mediation activities shall continue for a period of no more than thirty (30) days (work/class) or until resolution is achieved, whichever is shorter. This period may be extended if the participants and the mediator agree it would be useful to do so.

- d. In the event one or more of the above informal procedures is pursued and it is unsuccessful the complainant may initiate the formal grievance process described below. Alternatively, a complainant may bypass these informal procedures and may start by initiating the formal grievance process. While that choice is the complainant's, careful consideration should be given to first utilizing one or more informal processes since these often prove very successful in resolving conflicts.

### **3. Procedure for Formal Hearings**

#### *Step 1: Filing of a Formal Written Complaint*

An individual (student or employee) who chooses to file a formal written complaint under these procedures must do so with the Affirmative Action Officer. Such a complaint may be filed immediately after an alleged act of discrimination has taken place or after any efforts that may have been undertaken to reach an informal settlement have proven unsuccessful.

A complainant will have 90 days following the alleged discrimination or harassment to file a formal written complaint unless he or she has good reason (as determined by the Affirmative Action Officer) for having this period extended. Good reason may include active pursuit of the informal procedures outlined above.

A formal complaint must be filed on a standard form obtained from the Department of Human Resources and it must be filled out in full, detailing specific charges (including the specific acts forming the basis thereof). Where a pattern of discrimination is alleged to exist, the complainant shall provide incidents to support the charge. The charges shall be signed by the charging party and presented in sufficient detail to set forth clearly the charges which must be defended. Written notice (form) must be filed with the Affirmative Action Officer. If the charges are insufficiently explicit, it will be returned for clarification, thus delaying the process. The complainant may also indicate any remedy desired.

#### *Step 2: Investigation*

Once a written complaint is filed, the initial investigation (which can include notifying and providing the respondent with a copy of the complaint) and determination with respect to that complaint shall be made by the Affirmative Action Officer or his/her designee. Upon review of that complaint, the Officer or designee may either dismiss the complaint (either on its merits, because it does not properly fall within the scope of this procedure, or for timeliness) or may recommend appropriate remedial action be taken by the University. The Officer will conduct an investigation and make a determination within twenty (20) days (work/class) of the filing of a written complaint. This time period may be extended by the Officer at his/her discretion when circumstances warrant.

In the event either the complainant or the accused is not satisfied with the Officer or designee's recommendation, she or he may pursue their grievance before a Review Panel by notifying the Officer or designee of her or his desire to do so in writing within five (5) work/class days of the Officer/designee's recommendation.

#### *Step 3: Review Panel*

Upon receipt of a timely notice to pursue a grievance, within five (5) work/class days the Officer or designee shall ask the President to convene a Review Panel to conduct a formal review. The review panel that conducts the review will be selected from the 25 member Grievance Committee.

Within **five (5)** work/class days of receiving a written request, the President/designee, on the recommendation of the Chair of the Grievance Committee, will name five members from the committee to constitute the Review Panel. The panel will consist of one faculty member, one student (or one other panel member), one administrator, and one member drawn from the complainant's and the respondent's respective constituencies (faculty, student, support, plant, supervisory). The Chair of the Grievance Committee will designate one member to serve as presiding officer. Within five (5) work/class days after the panel is appointed, each party will have the right to object to the appointment of any panel member on the grounds that the member's participation would jeopardize the party's right to a fair review. The panel members not challenged will decide upon the merits of a challenge within five (5) work/class days, and their decision will not be subject to appeal. When a challenge is granted/approved, the President/designee, on recommendation of the Chair of the Grievance Committee, will appoint a replacement from the same category as the original member. Replacements are not subject to challenge.

*The Review Panel:*

- a. shall meet within ten (10) working days after being appointed;
- b. once convened, shall act as a body and will not act as representatives or as advocates for either party. The function of the panel is to review the evidence, make findings of fact, and determine what corrective action, if any, should be taken to resolve the problem;
- c. will have the discretion to determine the most appropriate methods for considering the case: examination of written evidence, the hearing of oral testimony (which will be private and open only to the parties involved) or further investigation of relevant evidence;
- d. the panel will have fifteen (15) working days after convening to render recommendations.

Tape recordings of evidentiary proceedings will be taken and retained for two years in the Office of Affirmative Action.

*Step 4: Final Disposition*

Within **five (5)** working days after the panel makes its findings and recommendations, the chair of the review panel will report the findings and recommendations directly to the President/designee with copies to the respondent, the complainant, and the Affirmative Action Officer. The respondent and complainant will have five (5) days after receiving the report to submit to the President a written response to the panel's report. This response is limited to five (5) typed pages.

Within **fifteen (15)** work/class days after receiving the Review Panel's finding and recommendations, the President/designee may accept, reject, or modify the recommendations of the Review Panel, or may remand the complaint for further consideration or clarification. Upon recommendation from the Review Panel, the President/designee will send a written decision, an explanation of the decision, and determination of any penalty and relief, including dates by which each is to be implemented, to the complainant, the respondent, the Review Panel, and the Affirmative Action Officer. The President/designee will notify the appropriate VP of the decision and recommendation subject to the normal procedures for probation, demotion, suspension, or dismissal. Within **five (5)** days, the Vice President in turn will notify the President/designee of action taken.

Any retaliatory action of any kind taken by a member of the Clarkson University community against the complainant or any other party as a result of efforts to secure redress under this procedure, or to cooperate in an inquiry, or to participate in any activity governed by this procedure, is prohibited and shall be regarded as a separate and distinct grievance.

If, however, at the conclusion of its proceedings, the Review Panel determines that a complainant, respondent, or witness has knowingly given false or misleading information, the University may take appropriate action against that person.



## **IX POLICY STATEMENTS**

### **IX-A ALCOHOLIC BEVERAGES**

INTRODUCTION: Clarkson has a long-standing commitment to maintaining safe working and living conditions for everyone in the academic community. Clarkson University expects faculty, staff, students, and guests to comply with local, state, and federal laws and this policy with regard to sale, serving, possession, and consumption of alcohol. This policy is designed to comply with the Drug Free Schools and Communities Act. Therefore, the University will annually distribute in writing to each member of the academic community 1) This policy (which includes a review of possible sanctions and a description of pertinent laws), 2) A description of health risks associated with alcohol abuse, and 3) A description of counseling services for employees and students.

This policy is ultimately designed to provide an educational framework that facilitates the development of a responsible strategy of alcohol use for each member of the academic community. Abstinence is always considered a responsible strategy. Those members of the academic community who choose to consume alcoholic beverages are expected to do so in moderation and within the guidelines of this policy. Violators to this policy are subject to University action described in the SANCTIONS section of the policy.

- 1. ON CAMPUS, PRIVATE USE: Only those individuals 21 years of age and older are afforded the privilege of possessing and/or consuming alcoholic beverages within the privacy of residence hall rooms or apartments.** Individuals are responsible for their actions while under the influence of alcohol.

Being under the influence of alcoholic beverages is not a valid excuse for exhibiting behavior considered to be in violation of the Code of Student Conduct. Such individuals will be held accountable for their behavior. In addition to any disciplinary sanction that may be appropriate, individuals found to be in violation of the Code of Student Conduct while under the influence of alcoholic beverages are subject to referral to the Counseling Center for an alcohol evaluation. Those 21 years of age and older may also have the privilege of possessing and consuming alcoholic beverages revoked.

Possession and consumption of alcoholic beverages by individuals under the age of 21 is a violation of this policy and New York State Law. Violators are subject to disciplinary sanction and parental notification.

Serving alcoholic beverages to individuals under the age of 21 is a misdemeanor CRIME. Serving alcoholic beverages to individuals under the age of 21 is a violation of this policy and is a crime under New York State Law. First-time violators are subject to the confiscation of all alcoholic beverages in their possession and will be referred to the Office of Campus Safety and Security.

**2. ON CAMPUS, PUBLIC USE: Individuals 21 years of age and older are afforded the privilege of possessing and/or consuming alcoholic beverages in public at events registered with and approved by the University ONLY.** Indoor public areas are defined as any common area outside a residence hall room, apartment, or office (i.e. hallways, stairwells, floor lounges, etc.). All rooms, lounges, etc. that are available for reservation through the University Room Reservation Coordinator are also considered public. In addition, ALL outdoor areas and grounds of the University are considered public.

Public possession and consumption of alcoholic beverages by individuals under the age of 21 is a violation of this policy and New York State Law. Public possession and consumption of alcoholic beverages, including kegs, by individuals 21 years of age and older without University approval is a violation of this policy. Violators are subject to disciplinary sanction.

Public serving of alcoholic beverages is only permitted at events registered with the University. Events must have a designated chair that has the overall responsibility for the event. The event chair is responsible for registering the event with the University by submitting the Clarkson University Event Registration and Request for Alcohol Service Form. Information and forms can be obtained by contacting the Office of Student Organizations (x2345) or online at [www.clarkson.edu/ofsa/social/index.html](http://www.clarkson.edu/ofsa/social/index.html).

The following events require the use of the University's food service vendor:

- Events where more than 25 persons are expected to attend and/or kegs are served. Note: events outside of Cheel Campus Center require a minimum 30 day license application period per New York State law.
- Events involving the sale of alcoholic beverages. It is a violation of New York State Law and this policy for anyone other than the University's food service vendor to sell alcoholic beverages on the campus. This includes requiring a "cover charge" for admission to an event at which alcoholic beverages are being served. It also includes "passing the hat" or any such contribution. Violators will be referred to the Office of Campus Safety and Security.
- Events that are student-sponsored or student organization-sponsored.

**Event Risk Management** Event planners should carefully examine the reasons for serving alcohol. These reasons should be incidental to the purpose for having the event. The method for serving alcoholic beverages at the event must be outlined in detail, including a responsible effective means of ID check. A "self-service" bar is not appropriate for an event that includes any underage guests. Event planners are encouraged to consider employing the University food service vendor as the server of alcoholic beverages.

Nonalcoholic beverages and food must be conspicuously available at all events. Event chairs are responsible to reserve the event location through the University Room Reservation Coordinator.

Event chairs and recognized groups hosting the event are responsible for the behavior of all guests at the event. Excessive cleaning or damage repair will be billed as necessary and those responsible will be referred to the Office of Campus Safety and Security. This referral could result in processing a violation of the Code of Student Conduct as outlined in these Regulations. If individuals are not identified, event chairs and/or recognized groups hosting the event will be held accountable for inappropriate behavior displayed by guests. This could result in a referral to the Office of Campus Safety and Security for processing of a violation of the Code of Student Conduct and/or loss of event registration privileges.

The right of guests to abstain from consuming alcoholic beverages should be respected. Guests should not be pressured into drinking alcoholic beverages. Guests who choose to consume alcoholic beverages will be held accountable for their behavior. It is expected that guests will practice legal, low-risk behaviors which do not result in harm to themselves or others.

**3. OFF CAMPUS: It is a violation of New York State Law for individuals under the age of 21 to consume alcoholic beverages. It is a crime in New York State to serve or sell alcoholic**

**beverages to someone under the age of 21 and for an individual under the age of 21 to use fraudulent means to obtain alcoholic beverages.** Individuals should realize that student status does not make one immune from the consequences of violating the law off campus. Members of the academic community are referred to the section entitled "Pertinent Law" for an elaboration of laws related to alcohol use.

Those convicted of a crime for selling, serving, or using fraudulent means to obtain alcohol are subject to disciplinary follow up and sanction by the University.

Individuals arrested or requiring medical attention while under the influence of alcohol are subject to referral to Counseling Services for an alcohol evaluation.

**4. SANCTIONS:** All members of the academic community are expected to comply with this policy. Employee violators of this policy are subject to referral to their supervisor and/or the Office of Human Resources. Guest violators are subject to removal from the campus and/or referral for prosecution. Student violators, when referred to the Office of Campus Safety, are subject to the following:

- 1) Disciplinary Reprimand
- 2) Disciplinary Probation
- 3) Disciplinary Suspension
- 4) Disciplinary Expulsion
- 5) Referral for Prosecution

Other sanctions instead of, or in addition to, sanctions 1 through 5 may also be imposed. These include (but are not limited to): loss of campus housing priority, expulsion from campus housing, denial of campus driving privileges, fines, community service/work assignment, and mandatory referral to Counseling Services for an alcohol evaluation.

**5. PERTINENT LAWS:**

*New York State Penal Law*

**Unlawfully dealing with a child in the first degree.** A person is guilty of unlawfully dealing with a child in the first degree when he gives or sells or causes to be given or sold any alcoholic beverage to a person less than twenty-one years old. Unlawfully dealing with a child in the first degree is a class A misdemeanor.

*Alcoholic Beverage Control Law*

**Prohibited sales.** No person shall sell, deliver or give away or cause or permit or procure to be sold, delivered or given away any alcoholic beverage to:

1. Any person, actually or apparently, under the age of twenty-one years;
2. Any visibly intoxicated person.

**Procuring alcoholic beverages for persons under the age of twenty-one years.** Any person who misrepresents the age of a person for the purpose of inducing the sale of any alcoholic beverage to such person is guilty of an offense that shall be punished by a fine of not more than two hundred dollars, or by imprisonment for not more than five days, or by both such fine and imprisonment.

**Offense for one under twenty-one years to purchase or attempt to purchase an alcoholic beverage through fraudulent means.**

1. (a) No person under the age of twenty-one years shall present or offer to any licensee under this chapter, or to the agent or employee of such licensee, any written evidence of age which is false, fraudulent or not actually his own for the purpose of purchasing or attempting to purchase any alcoholic beverage.

(b) A person violating the provisions of this subdivision is guilty of a violation punishable by a fine of not more than one hundred dollars, and/or appropriate community service not to exceed thirty hours, and/or completion of an alcohol awareness program.

2. The court may suspend a violator's driver's license to drive a motor vehicle for ninety days, if it is found that it was a New York state driver's license which was the written evidence of age for the illegal purchase.

**Unlawful possession of an alcoholic beverage with intent to consume by persons under the age of twenty-one years.**

No person under the age of twenty-one years may possess any alcoholic beverage with intent to consume such beverage. The court may impose a fine not exceeding fifty dollars and/or completion of an alcohol awareness program.

**False statements, alteration of records or substitution in connection with any examination.**

Any person knowingly making a false statement ... in application for a license ... or make material alteration in a certificate of ... license, or unlawfully use a validating device on such certificate of ... license form shall be guilty of a **misdemeanor**.

**IX-B DRUG POLICY**

1. Clarkson University and the individuals within it are subject to federal and state law. The University must recognize the legitimate responsibilities of law enforcement agencies. Therefore, Clarkson cannot condone any illegal act involving possession, manufacture, use, or sale of controlled substances (drugs) on its campus. Any violation of applicable law in the sale, use or possession of a controlled substance will result in disciplinary action by the University and/or prosecution by local, state or federal authorities. Further, a referral for a drug evaluation may result from one's actions associated with the sale, use or possession of a controlled substance.
2. It is recognized that students who have used or are using controlled substances may need and wish to seek counseling. Counseling staff members are available for such help. Conferences with these persons will be treated confidentially.

**IX-C HAZING POLICY**

Clarkson University will not tolerate any individual, organization, or sports team that permits or participates in hazing or any other practice detrimental to the physical safety, mental health, or human dignity of the individual. Hazing is also a violation of New York State law, section 120.16.

Any individual, organization, or sports team authorizing any action or situation that recklessly or intentionally endangers mental or physical health which includes, but is not limited to, the forced consumption of liquor, drugs, or any other substances; creation of excessive fatigue; morally degrading or humiliating games; engaging in public stunts and buffoonery for the purpose of initiation into or affiliation with any organization or sports team, shall be subject to University disciplinary action, in addition to any other legal penalty pursuant to the penal law or any other law to which a violator or organization may be subject. University disciplinary action in the case of a student may result in his or her reprimand, suspension, or expulsion; and in the case of an organization, rescission of permission for that organization to operate on campus property.

A copy of such rules and regulations are available to all students enrolled at Clarkson University and shall be deemed to be part of the by-laws of any and all organizations operating at Clarkson, and Clarkson shall review annually such by-laws with individuals associated with such organizations.

**IX-D STUDENT HEALTH RECORDS**

A Medical History and Examination Report, an Immunization Report, and a Meningitis Response Form are required to be on file at the Student Health Center prior to registration. New York State law requires college students to be immunized against measles, mumps and rubella.

If a student does not comply and is not exempt for medical or religious reasons, the University is compelled by state law to deny that student further attendance. No New York State student may attend in excess of thirty days without certification. No out-of-state or foreign student may attend in excess of forty-five days without certification.

All students enrolled for credit must have proof of health insurance at time of registration or purchase an insurance policy through the University's contracted carrier. A sickness and accident plan is available to all students through the University at group rates. If a student is covered under a family health insurance plan, this may be substituted for the University's plan. A student must indicate coverage on the appropriate form or he or she will be automatically enrolled in Clarkson's plan and charged accordingly.

**IX-E PERSONAL COMPUTER PROGRAM**

Each incoming undergraduate student is strongly encouraged to bring a personal computer to Clarkson or to buy one from the University.

Under the auspices of the Office of Information Technology (OIT), the computers of students residing on campus are connected to the University's network. To minimize the impact of viruses, all PCs that connect to the University network are required to be registered, to be running Windows Update and to be running Symantec Anti-Virus Corporate edition. Symantec Anti-Virus Corporate edition is provided free of charge to all students. Likewise, registration is required for other network devices such as routers, video games, etc. The registration and anti-virus program is designed to provide a reliable network for academic work.

Clarkson University treats cases of copyright infringement, to include copying, possessing, sharing or distributing copyrighted works without permission, as theft. Copyrighted works include most music, movies and software. Violators are subject to loss of network privileges, fines, and referral to the Dean of Students for disciplinary action.

The Clarkson University Acceptable Use Policy below provides additional details of the terms and requirements of using Clarkson University computing services and facilities.

## **IX-F EMAIL POLICY**

### **1. University use of email**

Electronic Mail is an important and official means of communication for the Clarkson University community. The university has the right to expect that email communications will be received and read in a timely matter. Students, Faculty and Staff are expected to regularly check, read, and respond to their email. See also Clarkson University Regulations Section IX-G: Clarkson University Information Systems Acceptable Use Policy for additional pertinent information.

### **2. Redirecting of email**

Students are advised not to forward their Clarkson mail to an off-campus email address (e.g. @aol.com), as the university cannot be responsible for email delivered beyond the Clarkson system. If forwarded, students are responsible for information sent to their official Clarkson accounts, even if their off-campus email provider fails to deliver the message.

### **3. Privacy**

Users should exercise extreme caution in using email to communicate confidential or sensitive matters, and should not assume that email is private and confidential. It is especially important to send messages only to the intended recipient(s). Caution should be exercised when using the "reply" or "reply all" command during email correspondence. When feasible, attachments containing sensitive information should be encrypted or password protected as an additional safeguard.

In order to safeguard the privacy rights and needs of every individual, email sent to groups of recipients should be addressed via blind carbon copy ("bcc" addressing). Such email should not include non-directory information (ref. Regulations IX-J-4 for the approved list of directory information) or other information that would indicate differential selection criteria within the email body (e.g. award, scholarship or honors selection).

The email system is owned by the University, which retains the right to inspect and disclose the contents of electronic mail to the extent permitted by law. The University may inspect and disclose the contents of electronic mail to:

- Assist in the investigation of misconduct or misuse
- Protect public health and safety
- Prevent interference with the academic mission
- Locate substantive information required for the university business that is not more readily available by some other means
- Fulfill obligations to law enforcement for criminal or civil investigations
- Where not otherwise restricted by law or policy, the university will inform users if their email was inspected or disclosed without their prior consent.

To protect the user and the university, faculty and staff should attach the following statement to their email signature:

"This message may contain confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system."

### **4. Retention of email**

In many cases, email is considered official correspondence of the university. As such, users have a responsibility to retain email records as required law or policy. Each office or department should have guidelines and retention plans that provide guidance to determine which items will be retained and for how long. Those items that are determined to require long term retention should either be printed and filed or saved to a stable electronic medium (CD or DVD). NOTE: If you know, or should have reason to know, that litigation is imminent, all records relating or possibly relating to the litigation must be excepted from this retention policy. Electronic documents should be retained in electronic format to preserve possible metadata.

## **IX-G CLARKSON UNIVERSITY INFORMATION SYSTEMS ACCEPTABLE USE POLICY**

### **1. Definitions**

*University* — Clarkson University at Potsdam, New York.

*University community* — faculty, staff, and students of the University, whether or not compensated for their services; persons performing research or engaging in work or study utilizing University resources or facilities; and other persons allowed access or uses of University resources or facilities.

*University Resources* — facilities, library resources, equipment, funds, personnel, and other resources belonging to or supplied by the University.

*User* — a person expressly authorized to use University information technology resources and associated services provided by the University.

*University Property* — includes, but shall not be limited to, the following:

- a. The name, CLARKSON UNIVERSITY, all derivatives thereof and all logos, trademarks and trade names incident to the business and activities of the University.
- b. All University information technology resources, library holdings, telephone and communication systems.

## **2. General Use Policy for Information Technology Resources**

Information technology resources are those facilities, technologies, and information resources required to accomplish information processing, storage, and communications, whether individually controlled, or shared, stand alone or networked. Included in this definition are all classroom technologies, and computing and electronic communication devices and services.

Any member of the University community may use the University's information technology resources in support of instructional, research, and service missions sanctioned by the University. Access to these resources is granted to each individual for a specific purpose. Proper use of the resources must be consistent with that purpose. In particular, instructional access is granted for work done by officially registered students in support of a recognized course of study. Research access is granted for work approved by an authorized official of a University department.

By using University-supplied information technology resources and associated facilities, individuals and other entities agree to abide by all policies and procedures adopted by Clarkson University as well as all current federal state and local laws. These include University policies and procedures against harassment, plagiarism, and unethical conduct; as well as local, state, and federal laws prohibiting theft, intellectual property and copyright infringement.

The University reserves the right to restrict the use of its information resources and facilities, and to limit access to its computers systems and networks when faced with evidence of violations of University policies or standards, of contractual obligations or of federal or state laws. The University also reserves the right to remove or limit access to material posted on or transmitted by its computers and network facilities.

## **3. Acceptable Use Guidelines for Computer and Network Facilities**

The University strives to provide fair and distributed access to information technology (i.e., computer and network) facilities for a large number of users. The acceptable use guidelines which follow apply equally to all types of electronic information services, including electronic mail (e-mail) and electronic news groups, provided on Clarkson's computer and network facilities. Everyone using University information technology resources is responsible for following guidelines which characterize acceptable use.

- a. Clarkson supports the principles of academic freedom and free inquiry and expression in the online environment as well as in the classroom. This freedom must however be balanced with the responsibility not to infringe on other rights of individuals.
- b. Acceptable use of shared information technology facilities follows the same standards of common sense, courtesy, and restraint that govern the use of other public facilities. Clarkson regulations IX-L Sexual Harassment Policy and IX-R Cultural Diversity Policy also apply to the online environment. Acceptable use requires users to be ethical and respectful of the rights of others and of the diversity of the University community, and to maintain a climate which does not interfere with the studies, work or living environment of any members of the Clarkson community.
- c. Acceptable use of information facilities respects individuals' rights to privacy and to freedom from threats, intimidation, harassment and unwarranted annoyance.
- d. Acceptable use includes the right of individuals to access and save any legal files on the internet. It is not acceptable to display and print potentially offensive material in public computer labs where others cannot avoid seeing these files. Such material should be viewed in a private location. Material which is potentially offensive to others should not be publicly displayed without an academic reason.
- e. Acceptable use standards require everyone to take prudent and reasonable steps to prevent unauthorized access. Access authorization relies on user identification and password for each user. The user-ID forms the basis for mechanisms which are designed to establish ownership and responsibility for computing resources and use. Acceptable use respects these identification and security mechanisms.
- f. Acceptable use requires that all users refrain from any illegal and improper intrusions into the accounts of others and/or into any University information technology resources and systems.
- g. Acceptable use requires that all users recognize and honor the intellectual property rights of others.

- h. Acceptable use of information facilities respects University regulations, contracts with University suppliers, and all local, state, and federal laws. Software theft, also known as software piracy, is a topic of much concern. Acceptable use of software respects all associated license and/or purchase agreements; if you have not met the conditions of such an agreement for a given software package, do not copy the package for your use.
- i. Acceptable use of all off-campus network connections, i.e., use of the Internet, respects the University's network access contracts which impose strict requirements. In general, off-campus network use must be for education or research. The University's access contracts prohibit commercial activities such as advertising. They also require all users to promote efficient use of the network to minimize and avoid, if possible, congestion of the network which interferes with the work of others.
- j. Acceptable use of information technology resources requires that all users refrain from acts that waste resources and prevent others from having broad access to University computers and resources.

#### **4. Enforcement**

When instances of unacceptable use comes to its attention, the University will investigate them and may take action to prevent their further occurrence. During an investigation, the University reserves the right to copy and examine any files or information resident on University systems allegedly related to improper use, including the contents of electronic mailboxes. Investigations that discover improper use may cause the University's authorized investigators to:

- a. limit the access of those found using facilities or services improperly;
- b. disclose information found during the investigation to other University authorities;
- c. begin discipline actions as prescribed by University policies and procedures;
- d. install automatic measures to limit improper use

#### **5. E-Mail: Notes on Use, Content, and Confidentiality**

Access to and the responsible use of modern information resources are essential to the pursuit and achievement of excellence at Clarkson University. The University encourages appropriate use of e-mail (electronic mail) to enhance productivity through the efficient exchange of information in furtherance of the University's mission of research, instruction and public service. Use of e-mail should be consistent with this mission and this policy and guidelines based on common sense, common decency, and civility applied to the network computing environment.

The University's computer and network support staff makes every reasonable attempt possible to maintain the confidentiality of e-mail correspondence. However, a large and diverse collection of software and hardware components is required to provide e-mail service on the University's network-connected computers. The interactions among these e-mail components is complex, and, from time to time, flaws appear which, until identified and corrected, could result in a loss of confidentiality for some e-mail communications. In recognition of these infrequent, but real, problems with e-mail operations, please note the following message which appears when you log in on University computing systems:

*"E-mail systems are a non-confidential medium, and as such, Clarkson's e-mail systems should not be used to convey confidential or sensitive information."*

Accordingly, when making the decision to store an electronic message, you should consider the impact on yourself and the University if the message is ultimately disclosed or released to other parties.

#### **6. Information Security: An Additional Note of Caution**

As a user of the various computing systems maintained and operated by the University, you should be aware of the limited security of these systems and of information stored there. Clarkson University systems serve a variety of academic users and are intentionally open systems to make access and operation easy for users. Security for each computer system is essentially user-controlled by means of access passwords and guarding features. These security methods provide for orderly operation of each computer, but place the responsibility for security upon you, the user.

You should realize that unauthorized access to information is possible through malicious mischief, particularly if you are careless about protection of your passwords and the use of system security features. You should be careful about storing or processing sensitive information; the University cannot guarantee the protection from unauthorized access.

#### **7. Electronic Publishing Policy (World Wide Web Pages)**

The University recognizes the value and potential of publishing on the Internet (typically on World Wide Web pages) and encourages students, staff, and faculty to publish electronic information. Any department, organization, class, or individual student or faculty member may publish Web pages in support of the mission of the University. In support of the mission of the University it is necessary to establish policy guidelines regarding the use of University facilities, equipment, information, resources, and personnel.

The objectives of this Policy are to:

- a. encourage the full and free exchange and expression of creative and/or scholarly ideas within the context of the mission of the University and applicable laws and regulations;
- b. maintain and enhance the reputation of the University;
- c. promote the transmission of knowledge, the pursuit of truth, the development of students, free inquiry and free expression;
- d. promote the public good;
- e. enhance opportunities for cooperation and productive interaction with persons who may visit WWW sites served by the University;
- f. ensure that the physical limits and demands on the network and electronic resources of the University are protected.

## **8. WWW Policy**

Under the auspices of the Educational Resource Center (ERC) students, faculty and staff are allowed access to the WWW. All University information technology resources and facilities of the University shall be used solely for University academic, instructional, research, or administrative purposes. Any unauthorized, illegitimate, or illegal use of University information technology resources or facilities is a violation of University policy.

Uses of University information technology facilities for access to the WWW for purposes other than those specified above are illegitimate. In addition, illegitimate use includes:

- a. Use for any illegal purpose;
- b. Any use that creates a hazardous or dangerous condition posing a threat to persons or property.
- c. Use that infringes on the rights or freedoms of members of the academic community or which disrupts or obstructs the institutional mission;
- d. Any unauthorized loan or rental of University property;
- e. Publishing without permission copyrighted text, photos, graphic images, or sound recordings;
- f. Violation of existing federal laws regarding copyright, trademarks, and intellectual property.

## **9. Copyright Law and WWW Materials**

Copyright laws apply to electronic publishing as well as print publishing. Users may not place any materials owned by others (i.e., copyrighted works) on Web pages or in any form of electronic communication without the express permission of the copyright owner. Users must advise the Educational Resources Center if the user has permission to post copyrighted material. A user who intends to or has secured copyright protection for published material should include the name of the user, the date, the word "copyright," and the copyright symbol (©) on the material.

## **10. Electronic Publishing Guidelines**

- a. Each user is responsible for the page(s) published and the pages to which they directly link.
- b. The name and e-mail address of the page owner must appear on all published pages.
- c. Student personal home pages must not imply that the author represents the University in any official capacity.
- d. Users should assume that materials (including pictures) found on the WWW are copyrighted unless a disclaimer or waiver is expressly stated. If a user wishes to display a copyrighted picture that is already on the WWW, the user should create a remote link to the material.
- e. Special care should be taken in the use of materials licensed to Clarkson by their owner. Unless otherwise stated, these materials are restricted to use within Clarkson. Under no circumstances should such materials be redistributed.
- f. Do not place any pictures or videos of people on the Web page without the permission of the subjects in the picture or video. Use without permission may be a violation of or invasion of a right to privacy.
- g. Campus information technology facilities should not be used to communicate information which is of an abusive, obscene, hostile, harassing, or discriminatory nature.
- h. Refer to WWW Publishing Guidelines. However, these guidelines are not the law. Reference is specifically directed to the U.S. Code and other applicable law.

## **11. Pertinent Laws**

The user of University facilities or property for access to the WWW is responsible for being familiar with applicable federal law in relation to the use of copyrighted property, trademarks, or other incidents of intellectual property. The user is directed to the following sources and sites which allow review of the applicable statutes and case law:

- a. Copyright Law of the United States — U.S. Code 17 USC 101 and following.
- b. Cornell Law School Legal Info. Inst. — <http://www.law.cornell.edu/topics/copyright.html>
- c. IFLA — <http://www.nlc-bnc.ca/ifla/II/copyright.html>

## 12. Violation of World Wide Web Policy

Clarkson University reserves the right to remove pages from its servers if it is called to the attention of University officials that the pages are actually or potentially in violation of any state or federal law or rule or regulation.

Clarkson University reserves the right to remove pages if it is called to the attention of University officials that a page is in violation of any rule or regulation of Clarkson University.

Users objecting to such action by University officials may avail themselves of Grievance Procedures established by the existing rules and regulations of the University.

## 13. Applicability of Clarkson Rules and Regulations

Violations of this policy may result in disciplinary action pursuant to the established procedures of the University.

## 14. Publishing Guidelines

The following items are required:

- a. Each personal Web page publisher is responsible for the page(s) they publish and the pages to which they directly link. This includes designing, writing, avoiding copyright violations, and keeping information up-to-date.
- b. The name and e-mail address of the page owner must appear on all published pages.
- c. The date of the last update must appear on each such page.
- d. A views and opinion disclaimer must appear on all personal home pages.
- e. Student personal home pages must not imply that the author has official representation of the University.
- f. All copyright laws must be obeyed.
- g. Personal Web pages must be constructed so that they are not wasteful of the University resources. Disk space limitation(s) will be enforced as per the University Quota Policy for all student and faculty accounts.
- h. Personal Web pages must follow the Acceptable Use Guidelines for Computer and Network facilities as they relate to academic freedom and concomitant responsibilities not to infringe on the rights of others in the pursuit thereof.

The following items are recommended:

- i. It is strongly recommended to include a link at the bottom of personal home pages that allow the user to return to the personal page master page.

Example: [My Homepage](#)

- j. You are encouraged to consult html style guides which are readily available throughout the Web.

## 15. Definitions

*Direct link*—a link that requires only one traversal or one hop between two pages

*HTML* — Hyper-Text Markup Language

*Link* — A one-way hypermedia connection between information on the Web

*Publisher* — Person responsible for publishing/updating the information on a Web page

*Personal Page* — A Web page for an individual student, faculty, or staff member

## IX-H COMPUTER SOFTWARE POLICY

The purpose of the software policy is to clarify the rights and responsibilities of all parties concerned with development of software and its documentation. This policy is established to encourage the production and sharing of software products within the Clarkson community.

1. Any member of the Clarkson community — faculty, administration, staff, and students — who has developed software is free to publish and/or market such software as he or she sees fit, provided that Clarkson has not commissioned the software to be developed and directly paid for its development. In case Clarkson contributed to the development of software and/or documentation that was not commissioned by Clarkson, and in the event software is marketed, the author(s) should determine how Clarkson would be compensated for its contribution.
2. Clarkson is willing to consider assisting software developers in marketing activities. Toward this end the Computer Software Committee, appointed by the president, has the responsibility to determine if it is appropriate for Clarkson to participate in the marketing of a product brought to the committee for its consideration. If the committee feels it is appropriate for Clarkson to market the product, it will then determine the extent to which the University should participate in the marketing effort. The Computer Software Committee will negotiate with the author(s) on such matters as:
  - a. Clarkson's participation in the marketing
  - b. external fee level
  - c. copyright procedures
  - d. reimbursement for the production and marketing expenses
  - e. income division
  - f. naming the product

3. If software commissioned by Clarkson is under consideration for marketing, the Computer Software Committee must be consulted before any marketing is accomplished.
4. The Division of Research must be consulted if software is developed with funds provided by external contracts and grants. Such software must be treated in keeping with the terms of the contract or grant.
5. Clarkson University shall receive a royalty-free license for internal use of any software product developed by its employees. The same privilege is expected for products developed by its students.
6. Software products developed at Clarkson shall be identified with the University in some manner.
7. Decisions of the Computer Software Committee can be appealed by submitting requests to the president.

### **IX-I I.D. CARDS AND ACCESS**

All Clarkson University students must have a valid Clarkson University I.D. card. The Clarkson University I.D. also serves as the access card to the residence halls. Clarkson University residence halls doors are on a 24 hour card access by valid cards. Lost or stolen cards should be reported immediately to Campus Safety & Security. There will be a replacement charge for lost I.D. cards. Misuse or tampering with this card will result in disciplinary action.

### **IX-J ACCESS TO AND PRIVACY OF STUDENT RECORDS**

#### **1. General Statement**

Clarkson University has the responsibility for effectively supervising access to and/or release of official data/information about its students. Certain items of information about individual students are fundamental to the educational process and must be recorded. Such information concerning students must be used only for clearly defined purposes, must be safeguarded and controlled to avoid violations of personal privacy, and must be appropriately disposed of when the justification for its collection and retention no longer exists.

In this regard Clarkson is committed to protecting the right of privacy of all students in their education records. Access to and release of such records is restricted to the student concerned, to officials within the University, to parties seeking information in connection with a student's application for or receipt of financial aid, to a court of competent jurisdiction, and as otherwise permitted or required by law.

Upon receipt of a Student Information Release Authorization signed by the student, information may also be released to specified persons with the student's consent. At the discretion of the Director of Student Administrative Services, such information can also be provided to a parent if the student is claimed as a dependent on the current Federal Income Tax Return and the University is provided with proof that this is the case.

#### **2. Access**

Education record information collected and maintained by the University identifiable with an individual student will be made available for inspection and review at the written request of the student subject to certain exceptions as specified later in this policy.

All students enrolled or formerly enrolled for academic credit shall have access to their education records as and to the extent provided in this policy.

The personal files of members of the faculty and staff which concern students, consisting of notes kept in the sole possession of the maker, used only as a personal memory aid and inaccessible to other persons other than temporary substitutes for the maker, are not regarded as education records.

A request for access to education records maintained by the University must be made to the Registrar in Student Administrative Services.

When a student (or former student) requests access to his or her University record:

- a. The student must provide proper identification so as to guarantee privacy of records.
- b. A staff person may supervise the review of the record with the student.
- c. Inspection and review shall be permitted no later than 45 days from the date of the student's request.
- d. A student will be free to make notes concerning the contents, but no material may be removed from the record at that time.
- e. The department responsible for maintenance of the record shall have discretion as to whether to allow the student to receive a photocopy or other reproduction of the record. If the student is provided with such a reproduction, a reasonable administrative fee will be charged.

Within the University, education record information may be accessed by university officials with legitimate educational interests. A "university official" is a person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or

grievance committee, or assisting another university official in performing his or her tasks. A university official has a "legitimate educational interest" if he, she or it needs to review an education record in order to (a) perform a task specific to his or her job description or his, her or its contractual duties to the University, (b) perform a task related to the student's education (including without limitation discipline of the student), or (c) provide a service or benefit relating to the student or the student's family.

Requests for access to a student's education records other than (a) access by parents of dependent students as defined above, (b) access by a party with written consent of the student, (c) disclosure of directory information as described in Section 4 of this policy, (d) access by a university official as described above, and (e) disclosure pursuant to a subpoena or court order under circumstances where the issuing court or agency has ordered that the existence or contents of the subpoena not be disclosed, must be noted in the student file. The notation must state the identity of the person requesting or receiving information, and the legitimate interest of the person in requesting or receiving the information. The student concerned shall be entitled to review this information.

### **3. Release of Information**

Pursuant to the federal Family Educational Rights and Privacy Act ("FERPA"), a student has the right to consent to the disclosure of personally identifiable information contained in his or her education records, except to the extent that FERPA authorizes disclosure without consent. Accordingly, personally identifiable education record information with respect to a student or former student will be released only with his or her prior written consent, or as otherwise required or permitted by FERPA. This policy describes some of the circumstances under which FERPA permits disclosure of education record information; however, the University reserves the right to disclose such information as and to the extent required or permitted by law.

When disclosure of any personally identifiable education record information from University records about a student is demanded pursuant to court order or lawfully issued subpoena, the staff member receiving such order or subpoena shall make a reasonable effort to notify the student concerned prior to replying to the court order or subpoena unless such notification is explicitly prohibited by the court order or subpoena.

Persons who release education record information on behalf of the University must inform the recipient that the disclosure is subject to the condition that the recipient not disclose the information to any other party without the prior consent of the student. The requirements of this paragraph do not apply to disclosures (a) to the student, (b) to the parents of a dependent student, (c) to a university official, (d) to a party seeking directory information, (e) to a party receiving the information pursuant to a judicial order or lawfully issued subpoena, (f) of certain information regarding student disciplinary proceedings as expressly permitted by FERPA, or (g) to parties otherwise authorized to receive the information pursuant to FERPA without the student's consent, provided that the parameters of permissible redisclosure have been established and documented prior to the initial disclosure.

Education record information from University records about students may be released for approved research purposes only if the identity of students involved will be fully protected. A record of all such releases must be kept in the student file.

Information from University records may be released to appropriate persons in connection with an emergency if knowledge of such information is necessary to protect the health or safety of a student or other persons.

### **4. Directory Information**

The items below are considered directory information:

- a. Name
- b. Confirmation of current enrollment
- c. Major(s)
- d. dates of enrollment
- e. degree(s) received
- f. honor(s) received
- g. local address and telephone number
- h. home address and telephone number
- i. e-mail address
- j. participation in officially recognized activities and sports
- k. weight, height, hometown, high school, date of birth of members of athletic teams

Unless the student has officially filed a written request with the SAS prior to relevant publication deadlines (as applicable) that disclosure not be made without his or her written permission, directory information may be included in appropriate University directories, publications and news releases and may be disclosed by staff members in response to inquiries concerning individual students whether such inquiries are made in person, in writing, over the telephone, or by electronic means.

## **5. Letters of Appraisal**

Candid appraisals and evaluations of performance and potential are part of the educational process. Clearly, the availability of such information to prospective employers, to other educational institutions, or to legitimately concerned outside individuals and agencies is in the interest of the particular student.

Documents of appraisal relating to students collected by any department or office of the University on or after January 1, 1975, will be maintained confidentially only if a waiver of the right of access has been executed by the student. In the absence of such a waiver, all such documents will be available for student inspection or review. If a student files a written waiver with the department or office concerned, letters of appraisal respecting admission to any educational agency or institution, an application for employment, or the receipt of an honor or honorary recognition, received pursuant to that waiver will be maintained confidentially. Forms will be available for this purpose.

All references, recommendations, evaluations, and other written notations or comments, originated prior to January 1, 1975, where the author by reason of custom, common practice or specific assurance had good reason to believe that such documents and materials would be confidential, will be maintained as confidential, unless the author consents in writing to waive such confidentiality.

## **6. Challenges to the Record**

Every student shall have the opportunity to challenge any item in his or her education record that he or she considers to be inaccurate, misleading, or in violation of the privacy or other rights of the student. A student shall initiate a challenge by submitting a request in writing for the deletion or correction of the particular item. The request shall be made of the Registrar in Student Administrative Services.

If the department or office and the student involved are unable to resolve the matter to the satisfaction of both parties, the President or designee shall act as a hearing officer. The student shall be given the opportunity for a hearing, at which the student may present oral or written justification for the request for deletion or correction. The hearing officer may obtain such information as is deemed appropriate for use in the hearing and shall give the student a written decision on the matter within 30 days from the conclusion of the hearing. If the decision of the hearing officer is to deny the deletion or correction of an item in the student's file, a copy of the written decision shall be placed in the student's file, and the student shall be entitled to place in the file a written statement commenting on the contested information, stating why he or she disagrees with the decision, or both. The student's written statement shall be disclosed whenever the University discloses the underlying information to which it pertains.

Grades may be challenged under this procedure only on the basis of the accuracy of their transcription. This must be done within the first 30 days of the beginning of the next academic semester after the grades were issued.

## **7. Exceptions**

In addition to the exceptions described above, certain data/information maintained in various offices of the University is not subject to the provisions of this policy with regard to inspection, review, challenge, correction or deletion:

- a. Statements or forms submitted by parent/guardian in support of financial aid are considered to be confidential between those persons and the University and not regarded as part of the student's official record.
- b. University employment records of students relating exclusively to their status as employees and not used for any other purpose, where the employment is not related to the employee's status as a student, are not subject to this policy.
- c. Health and/or counseling records made or maintained by a professional or paraprofessional acting in his or her professional or paraprofessional capacity in the course of treating the student, and disclosed only to individuals treating the student, are not subject to this policy.
- d. Records of the University's Department of Campus Safety & Security that are created and maintained by the Department for law enforcement purposes are not subject to this policy.
- e. Other data or information not constituting "education records" as defined by FERPA.

## **8. Other**

The full text of FERPA is available in SAS or the Office of the Vice President for University Outreach and Student Affairs.

Students who believe that the University is not complying with the requirements of FERPA or the regulations issued by the Department of Education implementing that Act, may file complaints in writing with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave. SW  
Washington, DC 20202-5920

Revisions and clarifications to this policy will be published as experience with the law and the institution's policy warrants.

## **IX-K FRATERNITY-SORORITY POLICY**

At Clarkson University, Greek letter organizations have been an influential factor since the first fraternity was established in 1903, and have enlisted and focused to a degree the loyalties of undergraduates and alumni(ae). The constitutions of these organizations state clearly that they are formed to promote the literary, educational advancement, leadership, service and social skills development of their members, and to the extent that these objectives have been fulfilled, the groups have been a distinct asset to the University.

Over the years, there has been a gradual growth of other types of non-academic associations with literary, artistic, or service purposes as well as academically-oriented extracurricular groups that have tended to lessen the impact of Greek letter organizations on undergraduate life. It is incumbent upon the University to take appropriate cognizance of Greek letter organizations as they exist at present and as their role may evolve in the future.

Clarkson's Recognition Policy is the governing policy for fraternities and sororities.

The future of the Fraternity and Sorority system on this campus will be determined by their demonstrated ability to contribute positively to the "Vision of a Clarkson Education." This includes high academic standards, good social behavior, and constructive extracurricular activities. These organizations will maintain a sound financial structure, satisfactory housing conditions, sanitary kitchen and health arrangements, be responsible citizens of the University community and neighborhood, foster continued interest in the University by their alumni(ae), and abide by the Recognition Policy established by the University.

In addition:

1. Clarkson refuses to recognize any organization that practices discrimination based on race, creed, color, or national origin in the selection of members.
2. Clarkson is opposed to any voting procedure that allows a small minority to have veto power over the membership selection process.
3. Clarkson refuses to recognize any organization that permits hazing or any other practice detrimental to the physical safety, mental health, or human dignity of the individual. (Reference Clarkson University Hazing Policy IX-C).
4. Clarkson requires that a copy of the rules and regulations (Clarkson University Hazing Policy IX-C) prohibiting such practices:
  - a. be made available to all students at Clarkson University,
  - b. be included in the charter and/or by-laws of every organization operating at Clarkson University, and shall review this charter and such bylaws with individuals affiliated with such organizations annually.

All polices governing fraternity and sorority life (including but not limited to Clarkson Regulations, Recognition Policy for Fraternities and Sororities; and Panhellenic and Interfraternity Councils) must, like all laws, be reasonably interpreted and fairly enforced.

Clarkson Regulations and Recognition Policy take primacy over local or national fraternity and sorority rules, as they do over the rules of all other Clarkson organizations. Clarkson expresses the hope that national and local fraternities and sororities on the Clarkson campus will cooperate in effecting this fraternity-sorority policy so that they will fulfill the constructive and useful purposes upon which their founding principles, rituals, creeds, and ideals were formed.

## **IX-L STUDENT USE OF MOTOR VEHICLES**

Clarkson University requires all undergraduate and graduate students to register with the University the motor vehicles that they intend to operate on campus and in and around Potsdam during the school year. The use of a motor vehicle on campus is considered a privilege and should, therefore, be considered in a serious and responsible manner. The following regulations apply to ALL students utilizing motor vehicles on campus.

**1. Registration:** All motor vehicles owned or operated by students at Clarkson University must be registered each year with the Campus Safety & Security Office. Vehicles operated or parked on University property without a valid Clarkson University registration sticker may be towed or otherwise rendered inaccessible at the owner's expense.

- a. A numbered sticker will be provided which is to be placed in a car window or rearview mirror, as indicated on the sticker.
- b. The persons to whom registration stickers are issued will be held responsible for violations regardless of the actual driver of the vehicle. When vehicles are disposed of, it is therefore important to remove stickers.
- c. Handicapped parking stickers are issued at the Village Police Department. A proof of disability will be required to receive a handicapped sticker. This parking privilege is only for the use of the person to whom it is issued. All parking spaces for the handicapped are clearly marked on the University campus. All other vehicles parked in these handicapped spaces will be towed at the owner's expense.

**2. Liability:** Clarkson University cannot assume responsibility for any motor vehicle or its contents, parked on the campus or its environs. The registration holder assumes all risk of accident and expressly agrees that Clarkson University shall not be liable under any circumstances for injury to persons or loss or damage to property. Those who want protection should acquire their own physical damage insurance.

**3. Parking:** Parking in all lots is on a first-come, first-served basis. All responsibility for locating a legal parking space rests with the vehicle operator. Vehicle registrants are responsible for all fines. *Lack of space in any lot does not justify parking illegally.*

Each academic year the Office of Campus Safety & Security provides a listing of all lot designations and where campus community members and guests can park. All members of the campus community are asked to familiarize themselves with these regulations. Additional copies can be obtained from the Office of Campus Safety & Security.

**4. Speeding:** The speed limit on campus is 15 m.p.h. except for the access road behind CAMP, which is 30 m.p.h. In all areas, the utmost care should be observed with the many pedestrians and small children on campus.

**5. Abandoned Vehicles:** Vehicles found abandoned or unregistered on University property will be towed at the owner's expense.

**6. Repair to Vehicles:** The use of University property for major overhauls or maintenance of vehicles is prohibited. All such repairs should be made at the student auto shop. Membership in the Clarkson Sports Car Club is required before using the facility.

**7. Motorcycles:** All traffic and parking regulations mentioned here also pertain to owners of motorcycles, motorbikes, or other similar transportation. Motorcycles must be parked in the designated motorcycle parking areas adjacent to the dormitories. Parking motorcycles in spaces designated for automobiles will result in their being ticketed.

**8. No parking** or driving on lawns, sidewalks or other pedestrian paths is permitted.

**9. Recreational vehicles** (snowmobiles, ATVs, unregistered dirtbikes, etc.) are not allowed on Clarkson University's property at any time. Use of mechanized vehicles on University ski trails is prohibited.

**10. Any violation** of Clarkson's posted or written regulations regarding the student's use of motor vehicles will result in (fine amounts subject to change) fines levied against the student's account:

- a. Parking in restricted area ..... \$20.00
- b. Parking/driving on lawns or sidewalks ..... 25.00
- c. Vehicle not registered ..... 50.00
- d. Parking in handicapped ..... 50.00
- e. Parking in fire lane ..... 50.00
- f. Parking in service area/drive ..... 25.00
- g. Other ..... 20.00
- h. Reckless driving ..... 75.00
- i. DMV fee ..... 15.00
- j. Tow charge..... 80.00

As determined by the Dean of Students, the offender may be subject to University disciplinary action, with possible revocation of on-campus driving privileges.

Ticket fines may be paid at the S.A.S. office. Parking ticket appeals must be made with Campus Safety & Security within five working days of receiving notice of a violation. Unpaid fines will be charged to the student's account.

**11. Students are expected** to abide by all state laws, ordinances of the Village of Potsdam, and regulations of the University pursuant to the operation of vehicles. Misuse of the privilege to operate a motor vehicle on campus may result in revocation of this authorization and could result in other disciplinary action as warranted.

## **IX-M SEXUAL HARASSMENT POLICY**

Clarkson University is committed to the prevention of harassment of its students, faculty, staff and visitors to the campus.

Sexual harassment is a form of sex discrimination. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, displays of sexual material, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made a requirement, either explicitly or implicitly, for an individual,
- (2) submission to, or rejection of, such conduct by an individual is used as the basis for decisions affecting such individuals, or
- (3) such conduct has the purpose or effect of interfering unreasonably with an individual's performance or creating an intimidating, hostile or offensive environment.

Prohibited conduct includes, but is not limited to, repeated offensive sexual flirtations, advances or propositions; verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual, his or her appearance or gender; display of sexually suggestive objects or pictures; or any offensive or abusive physical contact.

Sexual harassment is a form of misconduct which undermines the integrity of both employee and student relationships. Sexual harassment does not refer to occasional compliments. It refers to behavior which is not welcomed, which is personally offensive, which debilitates morale, and which therefore interferes with the studies and work effectiveness of its victims or peers.

Sexual harassment, whether committed by administrators, faculty, staff, students, or visitors, is prohibited and may result in disciplinary action, including dismissal or removal from campus.

Vice presidents, deans, directors, and department heads should take appropriate steps to disseminate this policy statement and to inform students and employees of procedures for lodging complaints.

Any University employee who would like to initiate a formal complaint under this Policy should notify either his or her immediate supervisor, the Affirmative Action Officer, or the Director of Human Resources. In the event of such a complaint, the procedures set forth in Section 3.1.14 of the University Operations Manual will be followed.

Any University student who would like to file a formal complaint under this Policy should notify either the Vice President for University Outreach and Student Affairs, the Dean of Students, or the Associate Vice President for Institutional Diversity Initiatives and Pipeline Programs. In the event of such a complaint, the procedures set forth in Section VIII Grievance Procedures of the Clarkson Regulations will be followed. Students who are employed on a part-time basis by the University will be governed by the procedures set forth in this paragraph.

In all cases, further information may be obtained from the University's Affirmative Action Officer, the Director of Human Resources, or the Vice President for University Outreach and Student Affairs.

Clarkson University will protect the confidentiality of any harassment complaint to the extent possible, under the circumstances. No person will be subject to discipline or any other adverse treatment because he or she has made a complaint of discrimination or harassment in good faith.

## **IX-N ATHLETIC PHILOSOPHY**

Intercollegiate athletics, physical education, and recreational sports are a vital and traditional part of student life at Clarkson University.

The intercollegiate athletic program is planned, developed, and administered for the educational and recreational benefit of students. In addition to providing challenging opportunities for athletic competition, the program offers entertainment for students, faculty, alumni, and friends of the University, building spirit among all members of the Clarkson community. The physical education program offers students the opportunity to develop or enhance athletic skills that promote mental and physical health and provide release from classroom discipline. Recreational and intramural sports programs provide opportunities for all members of the Clarkson community to maintain fitness and health, to enjoy the comradeship of team activities and simply to have fun.

To serve the highest interests of the University and its students, staff, and faculty, the entire athletics program must function as an integral part of the educational mission of the institution. This requires that academic interests supersede athletic interests at all levels from the participation of the individual student to the general policies of the University. Explicitly:

1. All participants in intercollegiate athletics, physical education programs, and recreational sports are expected to observe rules of fair play and reasonable standards of safe participation and to use University facilities in accordance with regulations.
2. All participants in intercollegiate athletics must abide by NCAA rules and regulations for participation in amateur athletics. No participant in intercollegiate athletics is permitted to accept rewards, gifts or any consideration of value as a condition for or result of his or her participation. All competition must be honest and fair, prioritizing sportsmanship and ethical conduct.

3. Student athletes must recognize the primacy of academics over athletics. Only students making satisfactory progress toward a degree may compete. Athletes must obey all general student regulations and should exemplify the highest standards of academic honesty. Because of their high visibility before the public, members of athletic teams must take care to avoid all violations of the law, especially the abuse of alcohol and controlled substances.
4. The physical well-being of the student athlete takes precedence over the outcome of competitive matches. Coaches must be conservative in their decisions on this point and athletes themselves should exercise good judgment. The use of drugs, including steroids, to enhance athletic performance is strictly forbidden.
5. Clarkson is committed to providing fair and equitable athletic opportunities for men and women.
6. Hazing among team members is illegal and strictly forbidden.

## **IX-O ATHLETIC POLICY**

1. An important goal of Clarkson is the development of individual capabilities through education. To that end, the undergraduate curriculum is designed to provide a diverse and increasingly demanding academic program. The physical education, recreation, and intercollegiate athletic programs shall be both an extension of the academic program and its counterpart. They will provide diverse activities on all skill levels, from physical education classes to intramural sports and intercollegiate competitions.
2. Consistent with Clarkson's concept of preparation for lifelong learning, emphasis in physical education and recreational activities shall be placed on provision of opportunities for exposure to "carry-over" activities such as: tennis, golf, skiing, camping, swimming, etc. The recreational program will take advantage of the recreational potential of the surrounding area.
3. A strong comprehensive program for intramural and recreational sports is essential. These sports and activities are to provide students and other members of the University community with the opportunity to participate in competitive and recreational activities in keeping with their desires, at a level commensurate with their skills.
4. The intercollegiate athletic program for men and women shall be planned, developed, and administered for the educational and recreational benefit of the students. In addition to providing entertainment and other values for nonparticipating students, faculty, alumni, and friends of the University, the program will provide carefully coordinated and challenging opportunities for athletic competition to students as one aspect of their four-year educational program. The success of the intercollegiate program will be measured largely in terms of how well individual skills are gained and developed into team play.
5. Since the coaching role is primarily a teaching one, importance will be attached to the evaluation of coaching by team members.
6. The excellence and success of the Athletics and Recreation program will be measured in terms of the diversity, extent, and quality of its constituent programs and the instruction offered to large numbers of students with differing abilities and interests. The success of the program also will be measured for the participants in terms of growth in self-understanding and the pleasures of increased knowledge and skills.
7. Scholar athletes who receive financial assistance must abide by the Code of Conduct detailed in Regulation IX-W-E.
8. Students athletes provide advice and counsel to the Athletic Administration through the Student Athlete Advisory Committee (SAAC). This committee meets regularly during the school year.
9. Clarkson University periodically evaluates student interest in intercollegiate sport offerings. The process of adding or deleting a sport program considers the following variables: student interest, resource availability, scheduling, coaching and athlete availability. Administratively the Athletic Director in concert with the Vice President for University Outreach and Student Affairs will recommend to the President and his Advisory Council the addition or deletion of any intercollegiate sport program.
10. It is the intent of Clarkson's Athletic Policies to comply with all rules and regulations as promulgated by Clarkson University, the NCAA or other leagues or associations that Clarkson Athletics participates in. The Athletic Administration requires each coach to be fully and completely aware of these rules and regulations and to observe both the letter and spirit of the rules.

## **IX-P USE OF UNIVERSITY PROPERTY**

University property is intended solely for use that promotes and enhances education and scholarship, and for activities supporting these missions, such as housing, feeding, and recreation of students, staff, faculty members, conference participants, and guests.

**1. University property** includes, but shall not be limited to, the following:

- a. The name CLARKSON UNIVERSITY, all derivatives thereof and all letterheads, stationery, logos, trademarks, and trade names incident to the business and activities of Clarkson University.

- b. All campus buildings and facilities, fixtures, utilities, and real estate.
- c. All University equipment, vehicles, furnishings, artworks, supplies, and inventory.
- d. All University computing resources, library holdings, telephone and communication systems, keys, and campus mail.

**2. Unauthorized and/or improper use of University property** by any persons shall constitute cause for dismissal of and financial restitution by such person. Improper use of University property shall include, but not be limited to, the following:

- a. Use for any illegal or immoral purpose.
- b. Use that is personal in nature and not incident to or connected with the institutional mission for which the user has not received authorization from the University.
- c. Use for which the specific property is not intended or designed or which could result in damage to University property.
- d. Any use that creates a hazardous or dangerous condition posing a threat to persons or property.
- e. Use that infringes on the rights or freedoms of members of the academic community or which disrupts or obstructs the institutional mission.
- f. Use that promotes the interests of business, political, or religious organizations to the exclusion of the interests of others, similar organizations, or organizations with other points of view.
- g. Any unauthorized loan or rental of University property.

### **3. Loan of University Equipment**

University equipment may not be loaned to individuals. Occasionally, at the discretion of the vice presidents or deans, or an authorized designee, it may be desirable to loan equipment to institutions or industrial companies in the interest of good public relations. In all such cases where such equipment is removed from the University premises, the vice president or dean or an authorized designee must secure a signed receipt for the equipment embodying a guarantee of its return by a specific date in good condition. It is the responsibility of the vice president or dean to see that the terms of the receipt are carried out.

## **IX-Q USE OF UNIVERSITY FACILITIES**

### **1. Scheduling of Facilities**

Facilities for regularly scheduled classes during the academic year and summer sessions are scheduled through SAS and given priority.

Campus facilities, i.e., classrooms, auditoria, etc., used for meetings or events are reserved through the Room Reservations Office. Certain types of reservations may require prior approval before confirmation is given, depending upon the location and time of year requested.

All arrangements by scheduling officers shall be forwarded to the Physical Plant Office and Office of Campus Safety & Security.

It is expected that all events held in University facilities will be conducted in a manner appropriate to an academic community. All events must meet the other conditions found in Section IX-O before a reservation will be finalized.

### **2. Student Organizations**

Student organizations recognized by the University and/or Student Senate may schedule campus facilities for normal academic or extracurricular activities. In instances where these student groups wish to sponsor activities with off-campus groups having related interests, they are expected to take on full sponsorship of the activities in order to avoid situations where their endorsement simply is used to enable outside groups to secure campus facilities or where they find themselves shouldering the responsibility for events which they have not run.

Student organizations are usually not charged for the use of facilities except for unusual activities entailing special expenses or University services. See item 7 for exceptions regarding political clubs.

### **3. Clarkson Affiliates**

Clarkson affiliates scheduling space for external organizations will be governed by the policy related to use by non-university groups.

### **4. Non-University Groups**

The University recognizes its responsibility to the community and makes many of its facilities available to non-University, politically nonpartisan, nonprofit groups offering the community services. These groups may use the facilities on an occasional, noncontinuing basis. Charges may be incurred for use of University facilities.

Requests for use of facilities by such groups should be addressed to the Office of Conference Services. A certificate of insurance may be required before permission is given for use. Any questions regarding eligibility or terms of use will be settled by Conference Services in conjunction with the Office of External Relations as necessary.

### **5. Security Arrangements**

In the case of programs where a security problem may be involved, the organization in question has the

responsibility for making security arrangements. However, if the University feels that the security arrangements are inadequate, it reserves the right to cancel the scheduled event.

## **6. Admission Charge**

In order to protect the University's tax-exempt status, spectators may be charged admission only when the proceeds accrue to the support of a recognized University organization or a University-approved charitable group.

## **7. Political Clubs**

The University traditionally has recognized and provided facilities on an impartial basis to various on-campus activities which have a partisan political bent, such as the Democratic, the Republican, and other political clubs. This represents no problem. However, to the extent that such organizations extend their activities beyond the campus and intervene or participate in campaigns on behalf of candidates for public office, or permit nonmembers of the University community to avail themselves of University facilities or services, the University must make certain that proper and appropriate charges are made and collected for all facilities and services provided.

## **IX-R DISTRIBUTION OF INFORMATION TO THE UNIVERSITY COMMUNITY**

**1.** To provide for the timely and orderly dissemination of information relating to the University, the following provisions are in effect:

**A. Clarkson Calendar.** Items for distribution to the entire campus community should be placed online in the Clarkson Calendar at [www.clarkson.edu/calendar](http://www.clarkson.edu/calendar). The Student Life Activities calendar can be found at [www.clarkson.edu/activitiescalendar](http://www.clarkson.edu/activitiescalendar).

**B. E-mail Distribution.** E-mails for approval and distribution to faculty/staff should be e-mailed to the Director of News & Digital Content Services. The Office of the Vice President for University Outreach and Student Affairs approves e-mail distributions to students, but the Director of News & Digital Content Services may also approve these distributions if necessary. E-mail distributions for students should be e-mailed to the Assistant to the Vice President for University Outreach and Student Affairs. In all cases, mass announcements will only be distributed if the event/item is listed on the Clarkson Calendar (see A above).

1. Authorized Offices for direct mass e-mail communication. The Clarkson University e-mail system is used to convey urgent and time-sensitive messages. The following offices are authorized to send key strategic messages:

- President's Office,
- External Relations,
- OIT (computer/network systems announcements only),
- Emergency Response Team.

Because of the probability that this system will be used in times of emergency, campus recipients (faculty, staff, and students) may not opt out of this system's distribution list. However, it is understood that for this system to be effective, it must be used sparingly and the messages kept as brief as possible.

The e-mail system is reserved for messages that meet two criteria:

- They are urgent, needing immediate distribution
- They are board interest and importance to the campus community

2. Prohibited Email distribution. The following are prohibited from email distribution:

- Non-Career Center sponsored employer events/announcements. Those wishing to announce items like this should partner with the Career Center to utilize Knightlink capabilities.
- Work study positions. All campus work-study positions are posted through Student Administrative Services (SAS) at: <http://www.clarkson.edu/sas/financial/studentsemploy.html>.
- Events that include gambling as a component of the event
- Fund-raising events which are not sponsored by a University-recognized organization.
- Partisan political events

**C. Paper Distribution.** A paper distribution is defined as unaddressed, multiple and identical copies of a document disseminated via interoffice mail to a targeted group. In an effort to be stewards of our natural resources, Clarkson University prohibits distribution of items via paper. Personally addressed envelopes to multiple individuals do not need approval.

## **2. Approval of Questionnaires, Surveys, etc.**

All proposed questionnaires, surveys, or requests for information generated by students or student organizations, that are to be issued to Clarkson faculty, students, administrators, alumni or trustees through e-mail, the campus mail, or other means must be approved by the Office of the Vice President for University Outreach and Student Affairs subsequent to review and signatory approval by the faculty advisor or course instructor.

Each survey prepared as part of a course requirement **must** open with the following disclaimer:

“This questionnaire is part of a study to fulfill a course requirement for COURSE NAME, COURSE NUMBER, and is for instructional purposes only. It has **no** official University sponsorship or affiliation. Participation in this survey is voluntary. If you have questions about this survey, please contact NAME OF COURSE INSTRUCTOR.”

Questionnaires, surveys, or requests for information that are not student generated or directed at students must be approved by the Vice President for External Relations. Surveys related to sponsored research should be directed to the Director of Research & Technology Transfer for consideration.

As a recipient of federal funds, the University maintains an Institutional Review Board (IRB) with the purpose of protecting the rights and welfare of humans who participate in research and is required to comply with all applicable federal regulations. If the Office of the Vice President for University Outreach and Student Affairs, the Vice President for External Relations, or the Director of Research & Technology Transfer questions the approval of the survey, questionnaire, or request for information based on ethical concerns or determines that the activity qualifies as research involving human subjects, the survey will be referred to the IRB for evaluation.

It is therefore important for students, faculty and others to submit such materials to appropriate offices in a timely manner, allowing several days for consideration as described above. If review by the IRB is warranted, a longer approval process should be anticipated.

### **IX-S CULTURAL DIVERSITY POLICY**

This policy reaffirms Clarkson University’s position on nondiscrimination. It provides for the development of a climate of tolerance and pluralism; it condemns all forms of intolerance. Through ongoing education, the University seeks to ensure that the entire campus community will have a heightened sensitivity to the value of diversity and the dangers of intolerance and racism. We look forward to the day when the promulgation of such a policy is unnecessary.

The Clarkson University community consists of a wide variety of people who come from diverse backgrounds. Clarkson subscribes to the belief that higher education is best served when members of the community have opportunities to interact with individuals who come to the campus with a variety of beliefs and past experiences. In such a pluralistic environment, different values and ideas can interact, be examined and be evaluated. The University can promote pluralism by fostering an environment that encourages the acceptance of individual differences and is characterized by the fair and equitable treatment of all.

The University will not tolerate harassing or abusive behavior directed at any individual or group because of their race, ethnicity, ancestry, national origin, religion, sexual orientation, age, gender, or physical or mental disability. Individuals who engage in activities that are threatening, harassing, or which foster intolerance, exhibit behavior which is inconsistent with the mission of Clarkson University may face removal from the University.

Initial complaints concerning alleged violations of the University policy on cultural diversity should be brought to the attention of the Vice President for University Outreach and Student Affairs in student-to-student incidents, to the Director of Human Resources in the event it involves a University employee, and may be oral in nature. It will be ascertained at that level, through a presidentially appointed committee, whether, in fact, a violation of the cultural diversity policy has occurred. Depending upon the incident, the Preliminary Review Committee may recommend that a complaint be submitted in writing by the complainant, to be processed in either one of two ways; 1) through summary action (by the Vice President for University Outreach and Student Affairs or Director of Human Resources depending upon the circumstances), 2a) through referral to the Disciplinary Hearing Committee (*Clarkson Regulations* Article IV-E Disciplinary Proceedings) for student-related matters, or 2b) through disposition to a Hearing Committee (consisting of the Senior Vice President for Business and Financial Affairs, a member of the faculty, and a member of the accused employee’s constituent group) for University employee issues. In either case, if all parties are in agreement with the decision of the respective hearing committee, the matter is settled. If any party involved is not satisfied with the disposition, they may proceed to the Standing Review Committee as outlined in the *Clarkson Regulations* Article VI Grievance Procedure. If warranted, a Formal Hearing Committee will be convened by the Standing Review Committee for final action.

### **IX-T INTERNATIONAL STUDENT POLICY**

Clarkson welcomes inquiries and applications from international students from a variety of cultures. To encourage the development of Clarkson as a truly international institution, Clarkson will;

- Provide adequate services for international students — matriculated and non-degree, scholars and their dependents who hold a non-immigrant visa status
- Foster an atmosphere in which American students, faculty and staff can take advantage of the learning opportunity provided by the international members of the Clarkson community
- Develop the international character of all its degree programs

## **1. Immigration Status**

It will be the responsibility of the international student/exchange visitor to fully comply with all federal regulations and to properly maintain lawful immigration status while in attendance at Clarkson University. Support in understanding these regulations will be offered at International Orientations and individual advising sessions through the International Students & Scholars Office.

## **2. Policy Administration**

The International Students & Scholars Office will work to ensure that international students — scholars — dependents and Clarkson University comply with federal immigration laws and regulations. Further information can be found at [www.clarkson.edu/isso](http://www.clarkson.edu/isso)

## **IX-U STUDENTS WITH DISABILITIES POLICY**

### **1. Clarkson University welcomes inquiries and applications** from individuals who have disabilities.

Information relating to disabling conditions is not a determining factor in admission decisions. The university strives to make all facilities and programs accessible to students with disabilities. University staff will work with students to provide appropriate accommodations for their disabling conditions, including the scheduling of classes to permit access for individuals with mobility impairments. So that accommodative services may be provided in an efficient manner, the University encourages timely notification about any disability.

For more information, or to get appropriate campus referrals for accommodative services, contact:

Director of Accommodative Services  
Clarkson University  
P.O. Box 5645  
Potsdam, NY 13699-5645  
315-268-7643

### **2. Policies and Procedures for Receiving Accommodative Services**

Students with a documented disability in need of accommodations must adhere to the following procedures:

- a. The student needs to make an appointment each semester with the Director of Accommodative Services to discuss disability documentation and requested accommodations.
- b. A release of confidential information will be signed by the student allowing access to the disability documentation for the Director of Accommodative Services ("The Director"). Disability documentation will be kept in the Office of Accommodative Services in a locked file. The student may sign a release of confidential information form to specified individuals. Throughout the process of identification, notification and accommodation, our office will adhere to safeguards for the student's privacy and confidentiality.
- c. The Director will evaluate documentation with the student for the purpose of determining eligibility for services and identification of appropriate accommodations. The documentation should be appropriate to the disability.
- d. The Director and student will discuss appropriate accommodations based on the student's courses for the semester. A letter will be developed and sent to the student's professors and advisor identifying appropriate accommodations. The student will receive a copy of the letter.
- e. The student will make an appointment with each faculty member to discuss the provision of testing and classroom accommodations. The professor and student will make the decision as to the best location for testing, and at this time, students are encouraged to share any information about the disability which will be of benefit to the teaching and learning of the course material. The student will bring a form to each professor to sign indicating the meeting has occurred, and the student will return this form to the office of accommodative services.
- f. Faculty assistance in fulfilling these accommodations is appreciated and necessary to insure Clarkson University is in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.
- g. If questions arise regarding the provision of accommodations, faculty and students are encouraged to negotiate a solution. The Director of Accommodative Services will intervene when necessary. It is the student's responsibility to inform the Director of Accommodative Services when accommodations are not working, need to be modified or if there is a change in condition.
- h. This procedure (Steps 3-7) will be repeated for each semester in which the student is requesting accommodations.

## **IX-V SMOKING POLICY**

Clarkson University is committed to providing its students, faculty, staff, visitors and the general public with a smoke-free environment to protect the health, welfare and comfort for those desiring such an environment to the maximum extent possible and in full compliance with the New York Clean Air Act, Article 13E of the New York Public Health Law.

1. Smoking is prohibited in **all** indoor locations including but not limited to :
  - Classrooms, lecture halls, auditoriums and libraries;
  - Laboratories, shops, computer rooms and studios;
  - Offices, meeting rooms, board rooms, and dining halls;
  - Lobbies, foyers and waiting rooms;
  - Hallways, stairwells and elevators;
  - Maintenance areas, mechanical and storage rooms;
  - Arenas, gyms and recreation centers;
  - Lounges, lodges;
  - Reception and supply areas and central locations for records, files or copying.
2. Smoking is prohibited in all enclosed areas including but not limited to:
  - Building entrances and covered walkways;
  - Loading docks, courtyards and patios;
3. Smoking is prohibited in the following outdoor locations:
  - Any outdoor event with seating;
  - Any area where combustible fumes can collect such as in garage and storage areas. Areas where chemicals are used and other designated areas where an occupational safety or health hazard may exist.
4. Smoking is prohibited in all University vehicles including buses, (leased or university owned) vans, cars and trucks.
5. Smoking is prohibited in University Housing as stipulated in 1-3 of this policy and in all common areas including:
  - Laundry rooms, cooking areas and bathrooms;
  - Recreation, study and lounge area.
6. Smoking is prohibited no closer than **30 feet** of any building entrance or ventilation system.

### **DEFINITIONS:**

**Smoke-Free:** The establishment of an environment that is free of smoke through the prohibition of smoking.

**Smoking:** The burning of a lighted cigar, cigarette, pipe or any other tobacco product.

### **ENFORCEMENT:**

It is the responsibility of all administrators, faculty, staff and students to enforce this smoking policy.

Employees or students who repeatedly violate the requirements of this policy may be disciplined.

Any person who fails to comply with the requirements of this policy may be in violation of Article 13E of the New York State Public Health Law. Violations may be subject to the imposition of a civil fine in addition to University disciplinary action.

## **IX-W WEAPONS ON CAMPUS**

New York State penal code (Subdivision three of sections 265.01 & 265.06) states: Persons who knowingly have in their possession a rifle, shotgun or firearm in or upon a building or the grounds used for educational purposes of any school, college or university without the written authorization of such educational institution, are guilty of a class A misdemeanor, and are guilty of a class D felony if they have previously been convicted of crime.

It shall be unlawful for any person age 16 or older to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge in or upon a building or grounds, used for educational purposes, of any school, college or university, without the written authorization of such educational institution. Unlawful possession of a weapon upon school grounds is a violation.

If a weapon is brought onto the Clarkson University campus (including, but not limited to, handguns, rifles, BB/pellet guns, paint ball or similar air propelled guns, bows, hunting knives, explosives, chemicals and other dangerous hunting equipment) or is stored in a residence facility or a vehicle on campus, the responsible individual is in violation of Clarkson University's Code of Conduct and would be subject to immediate and permanent removal from the Clarkson University community.

## **IX-X FINANCIAL CLEARANCE AND FINANCIAL ASSISTANCE**

1. Financial Clearance must be concluded on or before the published due date at the beginning of the semester. Payments or arrangements to pay with SAS must be made prior to check-in. A monthly fee of 1% of the unpaid balance will be assessed as part of the billing process.

- Undergraduate students registered for fewer than 12 credit hours are considered part-time enrolled and will be charged per credit hour. Students enrolled for 12 but less than 20 hours are designated as full-time enrolled and will be charged full tuition. Undergraduates enrolled for 20 or more credit hours are considered full-time (overload) and will be charged full tuition plus per credit hour for each hour in excess of 19.

## **IX-Y FINANCIAL AID REGULATIONS — STATE, FEDERAL AND INSTITUTIONAL**

### **A. Clarkson University Awarding Policy**

Clarkson University bases its financial aid program on two comprehensive criteria:

- financial need as determined from the results of the FAFSA and
- academic achievement

Adjustments to offers of Financial aid may result from the following:

- Retention – Scholarship and grants are retained by the student provided he/she is able to comply with the conditions for retention as described on the “Financial Aid Notification” (FAN)
- Verification – Per federal regulations, information on the FAFSA will be compared to the information submitted on the Clarkson Financial Aid Verification Form. Resolution of conflicting information may result in an adjustment to the assistance offered.
- Request for Information – Any requests for information must be responded to by the deadline indicated on the request. Failure to respond with the necessary information may result in an adjustment to the assistance offered.
- Receipt of final, official high school transcript - No federal, state or institutional financial aid will be disbursed to a student’s account without the submission of a final, official high school transcript.
- Necessity of Check-in at the beginning of the semester. No federal, state or institutional financial aid will be disbursed to a student’s account until after they have “checked in.” “Check-in” must be completed by the end of the 1st week of the semester. Failure to check-in will result in the cancellation of the financial aid award offer.
- Changes in Enrollment – if a student’s enrollment drops below full-time during the drop period, the financial aid offer will be revised for less than full-time status. Pell, ACG and SMART grants will be pro-rated. Students lose eligibility for TAP and all Clarkson need and non-need based grants, scholarships and loans. Direct Loan eligibility will be re-evaluated.

**B. New York State Aid – NYS Legal Residency Required.** For dependent students, parent NYS residency is also required.

- Students must apply for the Tuition Assistance Program (TAP) and state scholarships after filing the FAFSA @ [www.hesc.com](http://www.hesc.com). The amount of the award is determined by the TAP division of the New York State Higher Education Services Corporation (HESC). Students are notified directly by HESC of the amount of their award.
- TAP can only be credited toward tuition charges. For students who receive other tuition only scholarship(s), the total of TAP and the other scholarship(s) cannot exceed the tuition charge.
- TAP and scholarships require matriculation in a degree program and enrollment in a minimum of 12 credits hours per semester.
- In order to receive TAP and scholarships a student must meet specific academic standards. Evaluations occur at the end of each semester. Good academic standing for TAP involves two components:
  - Pursuit of Program — HESC regulations require that a student receive a passing or failing grade in a certain percentage of courses each term, depending on the number of state awards the student has received. During the first 2 semesters, a student must complete at least 50% of a full time load, during the 3rd and 4th semesters – 75% and in all subsequent semesters, a student must complete 100% of a full time load. Students who do not meet the pursuit of program requirements will lose good academic standing and are not eligible for an award for the next term.
  - Satisfactory Academic Progress – HESC requires that students accumulate a specified number of credits and achieve a specified cumulative grade point average each semester. The following chart must be used by all institution for first-time undergraduate students beginning with the 2006-07 academic year.

NOTE: Graduate students must meet the SAP requirement chart submitted by each college and approved and on file with the New York State Education Department.

	<b>Calendar: Semester Program: Baccalaureate Program</b>									
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th**	10th**
Before being certified for this payment										
A student must have accrued at least this many credits	0	3	9	21	33	45	60	75	90	105
With at least this grade point average	0	1.1	1.2	1.3	2.0	2.0	2.0	2.0	2.0	2.0

**5. Reinstatement of Good Academic Standing** – students who have lost good academic standing may restore this standing in one of the following ways:

- a. Make up past academic deficiencies by completing one or more semesters of student without receiving any state grants or scholarships.
- b. Be readmitted to the school after an absence of at least one calendar year; or
- c. Be granted a one-time waiver.

NOTE: Students who lose good academic standing for failing to achieve a cumulative GPA of a 2.0 can regain eligibility by completing appropriate coursework without state support to achieve a 2.0. Students cannot regain eligibility by remaining out of school for a period of time.

**6. One-time TAP Waiver** – regulations permit students to receive a one-time waiver of the good academic standing requirement as an undergraduate and once as a graduate student. Waivers may be issued for students who have experienced exceptional or extraordinary circumstances “beyond the student’s control” that resulted in the failure to satisfy the requirements and where there is a reasonable expectation that the student will meet these requirements in the future. Circumstances may include, but are not limited to, the death of a student’s relative or a student’s personal illness or injury.

- a. Students who have lost TAP eligibility will be notified by the Office of Financial Aid. As part of the notification, students will be given information regarding the one-time TAP waiver regulations and requirements.
- b. Students wishing to go forward with an appeal must complete and submit an Appeal Application with supporting documentation to the Dean of Students.
- c. Students must authorize the release of pertinent information as part of an investigation of the facts concerning the failure to meet academic progress regulations.
- d. Appeals will be investigated and reviewed by the Dean of Students in conjunction with faculty members from the student’s program of study as well as other University personnel as necessary.
- e. The Dean will notify the Office of Financial Aid of the decision via the Appeal form.
- f. The Office of Financial Aid will notify the student by letter of the decision.

#### **7. Part-Time TAP**

State Education Law has been amended to create Part-time TAP for students. To be eligible for this program, students must be freshman in the 2006-07 academic year or thereafter, have earned 12 credits or more in each of two-consecutive semesters, and maintain a “C” average.

**C. Federal aid** includes the Pell Grant, the Supplemental Educational Opportunity Grant (SEOG), the Federal Direct Student Loan, the Federal Direct PLUS Loan, the Federal Academic Competitiveness Grant (ACG), the National SMART Grant, the Federal Perkins Loan and Federal Work-Study.

1. In order to be eligible to receive any Title IV financial aid, a matriculated student must meet one of the following criteria:

- Be a high school graduate – a student must submit a final official high school transcript in order to receive federal funds. Aid will not be disbursed to a student’s account until this document is received.
- Have earned a recognized General Equivalency Diploma (GED)
- Pass an approved Ability to Benefit (ATB) test as defined in the Higher Education Act of 1965 (amended through July 1996)

NOTE: Students are ineligible for all federal aid if they owe a refund or repayment of any previously received Title IV funds or are in default on a previously received federal student loan.

2. Enrollment – Full time Undergraduate students must register for at least 12 credit hours per semester. Part-time students must register for at least six (6) hours.

#### **D. Clarkson University Grants, Loans and Scholarships**

Clarkson University offers various need based and non need based grants, loans and scholarships.

- In order to have eligibility determined for need based grants and loans, students must file the FAFSA form and complete the verification process each year.
- Students must register for at least 12 credits hours each semester and have full-time status at the end of the drop period.
- Clarkson Merit awards require a 3.25 GPA at the end of the spring semester. Failure to achieve the require GPA will result in the loss of the award for the following year. Reinstatement of the award will occur if the student has raised their GPA to a 3.25 at the end of the following spring semester.
- Scholarships are retained each year provided that the student meets the criteria of the specific scholarship.
- Institutional sponsored loans are awarded annually. Renewal of these loans is dependent upon funding availability, continued demonstrated financial need and academic standing.

## E. Satisfactory Academic Progress Standards for Financial Aid

Students must maintain satisfactory academic progress to retain eligibility for federal and institutional financial aid. Satisfactory academic progress is comprised of three areas as required by federal regulations. A student must complete their degree within a specified period, demonstrate they are making progress towards the completion of their degree by earning a minimum number of credits hours each semester and achieve a GPA that is consistent with meeting graduation requirements. Some institutional scholarships (i.e. Honors and Merit Scholarships) and federal grants (i.e. ACG and SMART) may require higher academic achievement than the standards outlined below.

Financial Aid satisfactory academic progress standards are separate from Academic Standing determinations. A student who is on academic warning, academic probation, or has been approved to continue after separation retains financial aid eligibility provided the financial aid satisfactory academic progress standards as outlined below are met.

### 1. Maximum time frame for degree completion

- Federal regulations specify that a student must complete his/her degree within 150% of the published length of the program. The maximum time frame at Clarkson is measured in attempted hours. A student must earn 120 credits to receive a Bachelor's degree. Therefore, the maximum time frame to complete the program for full time students cannot exceed 180 attempted credit hours, 6 years, or 12 semesters, which ever comes first. Part-time students cannot exceed the 180 attempted credit hours. There are no appeals to the maximum time frame regulation.
- Credits counted in the maximum time are all attempted credits (even when not a financial aid recipient)
  - Attempted credits include:
    - Earned hours – Passed (A-D), Pass (P)
    - Repeated Courses – both attempts
    - Withdrawal (LW) and (W)
    - Failure (F)
    - Incomplete (I)
    - All accepted transfer credits toward the degree program (T)

Federal regulations do not allow for the exclusion of courses in which a student has remained past the drop period and earned a grade of 'W' from its calculation of the maximum time frame.

### 2. Quantitative Standards

Federal regulations require that a student make steady progress toward degree completion by earning a minimum number of credit hours each semester. In order to earn 120 credit hours and graduate from Clarkson University in 4 years, a student must complete a minimum of 15 credit hours per semester. In order to graduate within the maximum time frame (180 attempted credit hours or 6 years) a student must earn at least 10 credits per semester.

Earned credit hours include:

Grades of A, B, C, D or P (with credit)

Transferred credits – provided they meet degree requirements

Credits earned from a Consortium Agreement or Study Abroad Program.

Student records are evaluated at the end of each semester.

Students who do not earn the minimum number of credit hours before the beginning of the next semester are placed on financial aid probation.

### 3. Qualitative Standards

Federal regulations require the student to meet minimum cumulative GPA standards to retain eligibility for aid.

Review of student records occurs at the end of each academic semester.

Students who fail to meet these standards are placed on financial aid probation.

The following chart is used to determine quantitative and qualitative progress

The credits and minimum GPA must be earned by the beginning of the term in which the financial aid is to be disbursed.

Prior to Start of Semester	1	2	3	4	5	6	7	8	9	10	11	12
Minimum Cumulative GPA	0	1.0	1.50	1.75	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Minimum # Earned	0	10	20	30	40	50	60	70	80	90	100	110

#### 4. Financial Aid Probation

Students who do not meet the qualitative and/or quantitative standards are placed on financial aid probation. Students on financial aid probation retain both federal and institutional aid eligibility. Students are allowed two probationary periods.

If the student does not earn the minimum number of credits after the probationary period(s) they will no longer be eligible for federal or institutional aid until that standard is met. Probationary periods may be consecutive or non-consecutive.

Students who have utilized both probationary semesters and experience extenuating circumstances are eligible to submit a request for a one-time Financial Aid Waiver. Refer to the Financial Aid Waiver section for further information.

#### **F. Financial Aid Waiver**

Students who do not meet the cumulative quantitative and qualitative standards after the financial aid probationary period lose their eligibility for federal and institutional aid until the standards are met. Students may appeal to the University for a one-time Financial Aid Waiver. A waiver may be approved for students who have experienced exceptional or extraordinary circumstances “beyond the student’s control” that resulted in the failure to satisfy the requirements and where there is a reasonable expectation that the student will meet these requirements in the future. A student may be approved for only one waiver.

Circumstances may include, but are not limited to, the death of a student’s relative or a student’s personal illness or injury.

Students will be notified by the Office of Financial Aid in the event of the loss of financial aid eligibility. Students will also be informed of the opportunity to submit a one-time Financial Aid Waiver and will be issued a waiver form.

- Students wishing to appeal the loss of their financial aid eligibility must complete and submit a Financial Aid Waiver form with supporting documentation to Dean of Students prior to the start of the semester they wish to return.
- Students must authorize the release of pertinent information as part of an investigation of the facts concerning the failure to meet academic progress regulations.
- Appeals will be investigated and reviewed by the Dean of Students in conjunction with faculty members from the student’s program of study as well as other Clarkson University personnel as necessary.
- The Dean of Students will notify the Office of Financial Aid of the decision via the Financial Aid Waiver form.
- The Office of Financial Aid will notify the student by letter of the decision.
- Eligibility is reinstated for one semester. If the student does not meet the standards at the end of the semester, they will no longer be eligible for federal or institutional aid until the standards are met.

#### **G. Repeated Courses**

Courses in which a D, D+ or F is earned may be repeated. The highest grade is included in the qualitative GPA calculation. The earned hours are counted once. The attempted hours are counted each time.

#### **H. Regaining Eligibility**

A student can regain eligibility for federal and institutional aid by:

- Taking courses at Clarkson without receiving federal or institutional aid that raises their GPA to the minimum standards and/or increases earned hours to the minimum requirements.
- Transferring in courses. A transferred course must count toward degree requirements. A minimum of a “C” is required for transfer credits. Transfer credits are included in both attempted and earned hours. Transfer credits have no effect on the GPA.

#### **I. Academic Grade Changes and Incompletes**

For purposes of determining student eligibility for federal and institutional financial aid, all grade changes including incompletes must be submitted to SAS prior to the 10th day of the subsequent semester. The student must contact their SAS rep to request a review of their financial aid.

#### **J. Total Withdrawal from the University – Federal Title IV and Institutional Aid Refund Policy**

- Students earn financial aid by attending classes. Federal regulations require Clarkson to pro-rate financial aid amounts if the student officially or unofficially withdraws, is dismissed, or otherwise leaves the University. The formula is based upon the number of days the student has attended as a percentage of the total number of days in the semester. A student must attend classes through 60 percent of the semester to be fully eligible for his/her total financial aid package.
- Refunds calculations are performed on the following funds:
- All Federal Direct Loans – Subsidized, Unsubsidized, PLUS, Grad PLUS
- Perkins Loans

- Pell Grants
- SEOG
- Academic Competitiveness Grants
- SMART Grants
- The Title IV and Institutional Refund Procedure are separate and distinct from the refund policy for tuition, fees and other charges at Clarkson.
- The percentage earned of Federal Title IV funds will also be used to determine the amount of institutional grants, loans and/or scholarships that a student may retain upon withdrawing from the University.
- Satisfactory academic progress for students who return to the University for a subsequent semester will be reviewed. If the student meets the financial aid satisfactory academic progress standards their aid will be reinstated. Students who do not meet the standards will be placed on financial aid probation. Students who have already used both semesters of financial aid probation and have extenuating circumstances are eligible to file an appeal for a one-time waiver.

#### **K. Readmitted Students**

Students who have left the University for one or more semesters and have been readmitted will have their financial aid satisfactory academic progress reviewed. If the student is determined to be making progress they will regain their eligibility for federal and institutional aid. If the student is determined not to be making progress, the student will be placed on financial aid probation provided they have not already utilized their two probationary terms. If both probationary terms have been utilized and the student has extenuating circumstances, the student may file an appeal for a one-time financial aid waiver. There is no guarantee that a readmitted student will receive the same type or amount of institutional aid they received during prior semesters.

#### **L. Cooperative Education Students**

Students who are participating in the cooperative education program remain matriculated students at Clarkson University.

For the semester that they are on coop, tuition is not charged and no academic credit is earned.

#### **M. Outgoing Study Abroad/Exchange Students**

Students participating in the study abroad/exchange program must apply for financial aid and complete verification. Students are charged tuition at Clarkson University. Any credit in the student's account will be refunded to the student for housing costs incurred abroad.

#### **N. Early Admission Students**

- All Early Admission students are required to fill out a Federal Aid Certification Form regarding his/her enrollment in high school. Students who are still "enrolled in high school" are ineligible for all federal aid.
- The term "enrolled in high school" includes, but is not limited to, the concurrent pursuit of a high school diploma while enrolled in The Clarkson School. It also includes (i) a student who has completed the requirement for his/her high school diploma but not yet received it and is taking coursework for which his/her high school will give the student credit or (ii) a student who has not received a high school diploma and is considered by his/her high school to be enrolled, e.g. as a requirement for participation on an interscholastic sports team or in any other curricular or extracurricular activity for which enrollment in the high school is a prerequisite.

#### **O. Drug Conviction Eligibility**

If you answered "yes" to Question #23 on the 09-10 FAFSA – "Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid?" you will be sent a worksheet by the Dept of Education that will determine if your conviction will affect your eligibility for federal aid. If it is determined that you are ineligible for federal aid, you are also ineligible for institutional aid. Students who lose aid under the drug conviction regulations will be notified in writing by the Office of Financial Aid.

You may regain aid eligibility by completing an acceptable drug rehabilitation program or pass two unannounced drug tests administered by an acceptable drug rehabilitation program. Please contact the Office of Financial Aid for the criteria governing an acceptable drug rehabilitation program.

#### **P. Athletic Financial Aid Recipients Code of Conduct**

Scholar athletes who receive athletic financial assistance must be aware of their high visibility within the Clarkson community. It is essential that each student athlete exemplify the highest standard of personal conduct. This is especially true for those student athletes who represent Clarkson at the Division I level. To assist all athletes with special emphasis on those who receive athletic financial assistance, the Athletic Administration requires each student to abide by the following Athletic Code of Conduct.

- Student athletes must prioritize academics over athletics. To that end class attendance is mandatory. Should the need arise, procedures are available to have faculty notified of absences for legitimate reasons.

- Academic achievement levels are prescribed by both Clarkson and the NCAA as requirements for participation. Additionally the coaching staff, based upon feedback from the academic community may require mandatory study halls or other proactive measures designed to enhance student athlete academic performance.
- Each student athlete must be aware of the University code of ethics relative to academic integrity. Plagiarism and cheating are considered to be serious offenses, which must be brought before the Academic Integrity Committee.
- Student athletes must take great care to avoid all violations of the law, especially the abuse of alcohol and controlled substances.
- Each student athlete is expected to adhere to regulations governing life in the University residences. These regulations are published annually in the University Regulations. The Athletic Administration and appropriate coaching staff will review disciplinary actions taken by the Dean of Student's Office against student athletes. Serious or repeat offenses may result in a serious misconduct finding against the student athlete.
- Honesty, above all else, is expected of each student athlete.
- Student athletes are reminded of the regulations relative to their required amateurism to be eligible for inter-collegiate competition. The receipt of athletic financial aid requires that the student athlete maintain their amateur status.
- Student athletes are reminded that athletic financial aid may be immediately withdrawn based upon serious misconduct, academic ineligibility, falsifying eligibility information, or actions compromising the student's amateur status. In addition, Clarkson Athletics advises student athletes that non-compliance with elements of the Code of Conduct will result in disciplinary actions. Should the offense involve legal sanctions, academic integrity or disciplinary action through normal university processes a finding of serious misconduct may be applied thereby causing cancellation of the student's athletic financial assistance. Should this occur the student, based upon NCAA guidelines, will be given the opportunity to request a hearing regarding the cancellation of their athletic financial assistance.

**Q. The Financial Appeals Board**

The Financial Appeals Board (FAB) is an administrative Committee appointed by the President to resolve student financial difficulties stemming from regulatory non compliance. The mission of the FAB is to provide a mechanism for regulatory discretion (adjustment) based upon individual student circumstances. The Committee is required to determine that "Progress and Pursuit" are being maintained prior to discretionary actions.

- Only students who have exhausted all other remedies would be able to appeal to FAB.
- The FAB could elect at its discretion to hear typical cases involving medical or personal circumstances.
- The FAB would decide individual appeals based on a majority vote with at least three members present.
- Resolutions to a student's financial concerns are at the discretion of FAB and may involve either financial aid or adjustments to student charges.
- Referrals to the FAB are to be coordinated through any of the following offices: Academic Affairs, Vice President for University Outreach and Student Affairs, Pipeline for Educational Programs (PEP), or Student Administrative Services (SAS)

**IX-Z REFUND POLICY**

All refunds will be based on the last recorded day of attendance determined by and attested to by SAS. A student who withdraws within the first 60% of the semester or enrollment period is eligible to receive a refund using the Federal Refund Calculation\* as follows:

If the student withdraws —	
on or before the first day of classes	100% refund
after 1st day through first 10% of the enrollment period	90% refund
after 10% through 25% of the enrollment period	50% refund
after 25% through 60% of the enrollment period	25% refund

The percentage of the enrollment period is determined by the number of weeks enrolled divided by the total number of weeks in the period (15 during the academic year).

Refunds will be applied to:

**1. Tuition, Activity Fee, Health and Recreation Fee:**

All fees are included in the refund calculations except for an administrative fee of 5% of tuition or \$100 (whichever is less), which the institution may retain. There will be no refund of the student health insurance premium if coverage is in force.

## **2. Board:**

Refunded on the same schedule (consumption will not be considered in refund calculation).

## **3. Room:**

Refunded on the same schedule.

All refunds will be made directly to lenders, or directly to the Title IV allocation accounts for federal loans and grants.

This refund policy has been established in conformance with the Higher Education Act of 1992, as amended in April and November 1994 and by GEN-95-22 (Dear Colleague letter) of April 1995.

\*Refunds for "first-time students" will be calculated on a statutory pro rata basis. Contact Student Administrative Services for details and examples of both refund calculations.

## **IX-AA DISBURSEMENT OF TITLE IV EXCESS CREDITS**

1. Title IV excess credits will be calculated by adding the charges for tuition, fees, room and board and then comparing the total to the sum of Title IV aid to generate the excess credit amounts.
2. A form will be sent to students receiving Federal Title IV funds requesting authorization of the use of these funds to cover additional charges. This authorization will remain in effect as long as the student attends Clarkson University unless rescinded in writing.
3. Clarkson will allow students to hold excess credits. Any student who desires not to have the money disbursed will need to fill out a form in the SAS office. This authorization will remain in effect as long as the student attends Clarkson University unless rescinded in writing.
4. PLUS Loan Excess Credits: Refund is disbursed to parent borrower unless written authorization is received to disburse refund to student.

## **IX-BB EQUAL OPPORTUNITY POLICY**

Clarkson University does not discriminate on the basis of race, gender, color, creed, religion, national origin, age, disability, sexual orientation, veteran status or marital status in provision of educational or employment. This policy prohibiting discrimination on the basis of sexual orientation does not apply to the University's relationships with outside organizations, including the federal government, the military, ROTC, and private employers.

Clarkson University does not discriminate on the basis of sex or disability in its educational programs and activities, pursuant to the requirements of Title IX of the Educational Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973, and the American Disabilities Act of 1990 respectively. This policy extends to both employment by and admission to the University. Inquiries concerning Section 504, and the Americans with Disabilities Act of 1990 should be directed to Jennifer de Coste, Section 504/ADA Coordinator, Room 101, Center for Advanced Materials Processing, Clarkson University, P.O. Box 5512, Potsdam, NY 13699-5512; or telephone 315-268-3785. Inquiries concerning Title IX, the Age Discrimination Act, or other discrimination concerns should be directed to Suzanne E. Davis, Title IX Coordinator, Student Administrative Services, Room 101D, Cubley-Reynolds Quad, Clarkson University, P.O. Box 5615, Potsdam, NY 13699-5615; or telephone 315-268-6493. Information on the processing of grievances and charges relating to the above policies can be obtained from the Office of Affirmative Action.

Clarkson University is making a special effort to identify a broad spectrum of candidates in both employment and educational programs, including women, minorities, people with disabilities, and veterans.

## **IX-CC CRIME STATISTIC REPORTING**

Clarkson University's Advisory Committee on Campus Safety will provide upon request all campus crime statistics are reported to the United States Department of Education. Contact the Director of Campus Safety & Security, 315-268-6666, visit [www.clarkson.edu/campussafety](http://www.clarkson.edu/campussafety), or [www.ope.ed.gov/security](http://www.ope.ed.gov/security).

## **IX-DD CREDIT CARD MARKETING POLICY**

- 1. Prohibition.** The advertising, marketing, or merchandising of credit cards to students on the campus of Clarkson University is strictly prohibited, except as provided in paragraphs 3 and 4.
- 2. Penalty.** Any individual visitor, licensee, or invitee on said campus found violating this policy shall be banned from the campus for a period of two years and any credit card issuer represented by said visitor, licensee, or invitee shall be banned from the campus for a period of one year. Any student, faculty, or other staff found violating this policy shall receive a warning and be prohibited from any and all future credit card marketing on the campus.
- 3. Restrictions.** The following restrictions shall be imposed on any individual wishing to advertise, market, or merchandise credit cards, hereinafter referred to as "marketer," on the campus of Clarkson University:

- A. The marketer shall register with the office of the Vice President for University Outreach and Student Affairs and receive express written authorization to be on campus property for the purpose of advertising, marketing, or merchandising of credit cards.
- B. The marketer shall be restricted to the following locations: Cheel Campus Center.
- C. The marketer shall be restricted to the following hours: 9 a.m. – 4 p.m. — Monday through Friday.
- D. There shall be no posting of flyers, posters, or other forms of information on any college property for the purpose of advertising, marketing, or merchandising of credit cards, except on the day the marketer is on the campus, provided that it is limited to the immediate vicinity where the marketer has permission to operate.
- E. There shall be no inducement or gifts provided to the student in exchange for completing a credit card application.
- F. The marketer shall provide to each student applying for a credit card a pamphlet provided to the marketer by the Office of the Vice President for University Outreach and Student Affairs that provides students with information about good credit management practices, including how to access any information or services provided by the New York State Consumer Protection Board.

**4. Exemptions.** This policy does not apply to any advertising, marketing, or merchandising of credit cards by either the university or an agent of the university to non-students, nor does it prohibit the advertising, marketing, or merchandising of credit cards to students through direct mail, newspapers, magazines, or within any banking institution located on the campus.



## **X RESIDENCE REGULATIONS**

Students living in University housing are, in addition to Code of Student Conduct regulations, subject to the following:

### **X-A HOUSING AND DINING POLICY**

**Housing:** Clarkson is a residential University and all undergraduate students are required to live on campus. Implicit is the belief that the residential experience plays a vital role in the overall education and development of all students. Residence Life at Clarkson seeks to establish an enriching living learning community that supports the main mission of the University, especially in the areas of creating academic excellence, promoting diversity and alumni engagement. The residential program for first-year students is designed to facilitate a healthy and positive transition to Clarkson. Residence Life strives to meet the varied needs of all residents while providing the opportunity to build a vibrant community and promoting a safe and secure environment. Each student is expected to exhibit behavior reflecting responsible citizenship, integrity and acceptance. The residential program provides opportunities for growth and development, including housing options that reflect increasing independence and maturity as students approach graduation.

While all undergraduate students are expected to live on campus, some students are eligible to be considered for an exemption to the residency requirement as follows:

- Student is married or a single parent
- Student will be 25 years of age or older
- Student is commuting from their parent’s primary home, within reasonable (as determined by the Residence Life Office) driving distance
- Student is a member of a fraternity/sorority recognized by Clarkson (SUNY Potsdam Fraternities/Sororities are specifically excluded), meets the eligibility requirements established by the Office for Student Organizations, and will be living at the chapter house filling a “legitimate bed space” as determined by the Residence Life Office
- Student is participating in a University authorized Experiential Learning program, i.e. Semester Abroad (the student to be exempted for the semester participation only)

Students should address questions and concerns about housing assignments and requests for exemptions to the residency requirement with the Residence Life Office staff. In cases of irresolvable conflict, students can contact the Dean of Students Office. In the Dean’s absence, the Vice President for University Outreach and Student Affairs may be contacted.

**Dining:** Students residing in University residence halls are required to contract for food service.

Food service contracts are optional for residents of University apartments.

Students may elect a particular board plan, but cannot change plans after the first 10 days of the semester (see IX-Y Refund Policy).

## **X-B RESIDENCE REGULATIONS**

- 1. Access System IDs:** Residence halls are electronically locked each night. The University ID serves as an access card granting authorized students access to their residence area. Students are expected to carry their University ID with them at all times. Fees will be charged for the replacement of lost I.D. cards.
- 2. Air Conditioners:** Air conditioners are not allowed in University housing.
- 3. Alcohol:** Only those 21 years of age or older may possess or consume alcoholic beverages in campus housing. Public possession, i.e. hallways, lounges, is prohibited, unless the event is registered and approved by the Alcohol Review Committee. Kegs and not permitted. Empty beer cans and beer/liquor bottles in an underage person's room are considered a violation. Those of age are expected to exercise moderation and responsibility. For additional information, refer to Clarkson University Student Regulations 2008 – 2009, VIII Policy Statements, IX-A Alcoholic Beverages.
- 4. Change of Assignment:** Request for change of housing assignment must be made through the Residence Life Office. The Residence Life Office reserves the right to make individual changes in assignment to address the needs of the overall residential community.
- 5. Damages:** Residents are held liable for damage to the rooms, apartments, furnishings, and common area facilities. Charges for unclaimed damages will be shared jointly by students. Residents are responsible for completing a Room Condition Report when moving into a room/apartment. If a report is not submitted, the residence is liable for all damages or repairs.
- 6. Drugs:** The University cannot and will not condone any illegal act involving the possession, manufacture, use or sale of controlled substances (drugs) on campus, except where properly authorized by a physician.
- 7. Fire Drills/Safety:** The University conducts regular (typically monthly) fire safety inspections in residential facilities. The University will also conduct fire drills throughout the year. Fire alarms are to be considered a mandate to evacuate the building. Failure to do so will result in disciplinary sanction and a \$100 fine.  
Turning in a false alarm endangers the lives of others and is a federal offense. Turning in a false alarm will result in a \$100 fine and disciplinary sanction.  
To protect the lives and safety of those living in the residence facilities, the use of fire extinguishers and all other fire-fighting equipment is to be limited to valid emergencies only. Anyone caught tampering with fire equipment will be fined \$100 and be subject to disciplinary sanction.  
Candles, incense, halogen lamps and toaster ovens shall not be used in the rooms due to fire hazards.  
Residents are also expected to comply with the electronic Fire Safety Brochure scheduled to be available online in the fall of 2009.
- 8. Flammables:** No flammable substances may be stored inside residence facilities, including, but not limited to, tikki torches, motorcycles or any other gas powered vehicle/equipment. LP tanks for gas grills, lighter fluid and the like must be a minimum of ten feet from buildings. Those creating a fire hazard in residence facilities are subject to disciplinary action including expulsion from campus housing.
- 9. Guests/Visitors:** Students are permitted to have visitors and guests in their residence with the understanding that visitors are expected to adhere to all University regulations, including Residence Regulations. The resident host should understand that she/he is responsible for their guest's behavior and that hosts can be sanctioned for the in appropriate behavior of visitors and guests. Mutual consent of any and all roommates is required for overnight guests. Overnight guests are limited to one person per resident. Any guest that will be staying in University housing for more than 24 hours must be registered with a member of the Residence Life staff. All guests who are not Clarkson students must be 18 years old or older. All requests for exemptions to this policy, including siblings less than 18 years of age, must be submitted in writing to the Residence Director or Area Coordinator for approval at least 48 hours in advance of the guest's arrival. Guests should not be left unattended in the residence halls or apartments without her/his host. The Residence Life Office reserves the right to remove any visitor when it is determined that a visitor has become a disturbing influence, violates University regulations, or presents a health/legal problem/hazard.
- 10. Housing Assignment Terms:** The term of assignment to University housing for single students is for the academic year. University housing (unless otherwise specified) is closed during Thanksgiving, winter and spring recess. Residence facilities must be vacated within 24 hours after the last exam at the end of the fall and spring semesters.  
The Residence Life Office reserves the right to make changes in assignment in response to facility limitations, change in enrollment, conflict resolution, etc. or to address the needs of the overall residential community.  
The University may for good and valid reasons suspend a student from University housing as a disciplinary measure. In such instances, there will be no refund of monies to the student.
- 11. Personal Property Insurance:** The University does not carry insurance of any kind on the property of students and accepts no responsibility for loss or damage to such property. Students are urged to lock their

rooms at all times and carry their own personal property insurance. Students are asked to keep access doors to residence halls closed at all times.

**12. Pets:** With the exception of fish in small tanks (10 gallons or less), animals and reptiles are not permitted anywhere in the residence halls or apartments. This includes any pet that is “just visiting.” Visiting pets must be left outside and are not permitted in residence halls or apartments. (A review is underway that may allow an exception to this policy for Area Coordinators.) Pets are subject to removal by pest control vendors and/or the animal shelter. The pet owner will be subject to all costs incurred for the removal of the pet and will be solely responsible for the steps needed to retrieve their pet and the expense and/or fine associated with the removal. Resident pet owners are also subject to disciplinary sanction that could include suspension from campus housing without a refund.

**13. Public Areas/Lounges:** Furniture cannot be removed from lounges, study rooms, cafeterias, etc. for the private use of students within their own rooms. Students possessing unauthorized furniture will be fined and face disciplinary sanction for possessing stolen property.

**14. Refrigerators:** Full-sized refrigerators are not permitted in the residence halls.

**15. Refunds:** Students should refer to the refund policy stated elsewhere in this booklet related to room and board charges for those withdrawing from the University.

**16. Roof & Basement/Boiler Areas:** Boiler rooms and roof areas are OFF LIMITS at all times. No antenna or aerial attachment may be made on the roof of any University residence. The basements of Riverside Apartments are locked by the University. Students are not allowed in the basements.

**17. Room Alterations:** Pools, hot tubs and spas of any kind are not allowed

**18. Room Keys:** For each key not returned, at the termination of room occupancy, a fee of \$50\* will be assessed to change the door lock. (\*Fine subject to change.)

Civil law defines the possession of unauthorized keys or access cards as being in possession of burglary tools. Those individuals having or using such keys or cards are subject to disciplinary action.

**19. Quiet Hours:** Quiet hours must be observed during specific periods as determined by each living unit.

**20. Safety Inspections:** The University reserves the right to inspect premises for safety, damage and repair or upgrade planning.

Students are responsible for keeping their rooms and apartments in a sanitary condition. The University will, as needed, conduct an inspection of the rooms in the interest of hygiene and safety. Rooms or apartments declared unsanitary and requiring the use of the custodial staff will be charged for the unscheduled cleaning.

**21. Signs:** Unauthorized possession of federal, state, local or other public agency signs is not permitted in University housing. All signs posted in University housing must be approved by the Residence Life Office.

**22. Smoking:** Smoking is not permitted anywhere in University housing. Smokers must be at least 30 feet from residence facilities, when smoking outdoors.

**23. Solicitation:** No solicitation is permitted in University housing, unless approved by the Associate Dean of Residence Life or Dean of Students.

**24. Storage:** The University is unable to store personal belongings. Residents are expected to remove all personal belongings when vacating campus housing. Items stored/left in hallways, entry ways, or stairwells are a fire hazard and are subject to immediate confiscation. Violators will be assessed the \$100 Fire Safety fine when retrieving confiscated items.

**25. Substance-Free Housing:** Students housed on a Substance Free Floor make a commitment to live within the general expectations of zero tolerance in regards to drugs, alcohol and tobacco. Failure to meet these expectations or those developed by the program participants as the academic year progresses will lose the privilege of living on a Substance Free Floor. In such a case, the student would be reassigned to another area of housing as determined by the Residence Life Office.

**26. Vacating Housing:** Any student living in University housing that is withdrawing from the University, whether permanently or for a leave of absence, must vacate and remove all personal possessions within 24 hours. All rights to the room cease after 24 hours.

Residence facilities must be vacated within 24 hours after the last exam at the end of the fall and spring semesters.

**27. Weapons:** Possession of weapons or firearms of any kind is strictly prohibited. Firearms, explosive devices or materials, chemicals, bows, arrows, dangerous knives, hunting knives, and other dangerous hunting equipment shall not be brought into any room or residence facility at any time.

BB and pellet guns, air rifles, paint ball guns and all other air or spring propelled missiles are also strictly prohibited as are slingshots, fireworks, whips, knum chucks and martial arts weapons.

Those bringing weapons to campus or residence facility are subject to disciplinary sanction which could include suspension from campus housing, suspension from the University and/or referral for prosecution. Similar to alcohol, refer to the Weapons policy IX-V.

### **X-C ROOM PERSONALIZATION**

Permanent changes to campus housing facilities, i.e. painting, IS NOT permitted. No changes to permanent fixtures are allowed. This includes built-in dressers, shelves, closets, closet doors and desks (except as authorized by the Residence Life Office). No tampering with electrical wiring, fixtures, breakers or panel boxes is permitted.

When hanging pictures, posters, etc. duct tape is expressly prohibited from use. The use of any tape other than "drafting" tape should be avoided. Tape marks, nail holes, etc. will be billed on a "per wall" basis.

### **X-D ROOM SEARCH BY UNIVERSITY OFFICIALS**

Except under extreme emergency circumstances, premises occupied by students and the personal possessions of students will not be searched unless appropriate (written) authorization has been obtained.

For premises controlled by Clarkson University, the appropriate authorization for a search by University officials lies with the Vice President for University Outreach and Student Affairs and, in his or her absence, the Dean of Students. The written application to the Vice President for University Outreach and Student Affairs for such a search must specify the reasons for the search and the objects or information sought. Every effort must be made to have the student or students who normally occupy the premises present during the search. Copies of the application and authorization of the search must be presented to the student or students involved and present before the search is conducted or, in cases where the student or students involved cannot be present, as soon as possible after the search and before disciplinary action is initiated.

For premises not controlled by Clarkson University, the ordinary requirements for lawful search are necessary.



## **XI VILLAGE OF POTSDAM ORDINANCES**

1. The open container law prohibits possession of alcoholic beverages on the streets.
2. Pedestrians have the right of way in marked crosswalks. Drivers must stop for pedestrians in these areas. Jaywalkers are subject to ticketing.
3. Bicyclists are subject to and must obey various village ordinances and traffic control signals. Riding on sidewalks and going the wrong way on one-way streets is prohibited.
4. Parking of motor vehicles on lawns or areas not designated as driveways is prohibited.
5. All dogs must be on a leash and licensed. Unleashed dogs are picked up and taken to the Potsdam Humane Society. There is a charge for day-to-day care.
6. No overhead banners or signs on streets are permitted.
7. No parking on village streets between 2 a.m. and 6 a.m. Cars will be ticketed and towed away at owner's expense.
8. There are regulations against loud noises, P.A. systems, and amplifying systems.
9. No open fires, except barbecue grills, are permitted within village limits.
10. The courts take a stern view of cases involving stolen street signs and traffic control devices, and vandalism of any nature.
11. The Village has no authority in questions involving leases for private individuals. This is a legal matter between tenant and landlord.
12. No person shall discharge any firearm, gun, air rifle, spring gun or any gun so constructed as to discharge pellets by compressed air or compressed gas within this municipality, except that this article shall not apply to police officers or other persons in the discharge of their official duties nor to any firing squad at a military funeral or ceremony nor to any properly constructed range approved by the Chief of Police.
13. Prohibited Furniture: Interior type furniture which would be adversely affected by the weather or elements or which would be susceptible to infestations of insects or vermin is prohibited from being placed outside a structure in a yard, driveway, roof or other exposed area. Such prohibited furniture shall include, but not be limited to, upholstered couches and chairs or other fabric covered articles not designed or intended for use outdoors. The Code Enforcement Officer shall cause the owner of the property or other responsible person to comply, per Appendix A of Chapter 142-11 of the Village Code (Solid Waste), Section J 1-8.



